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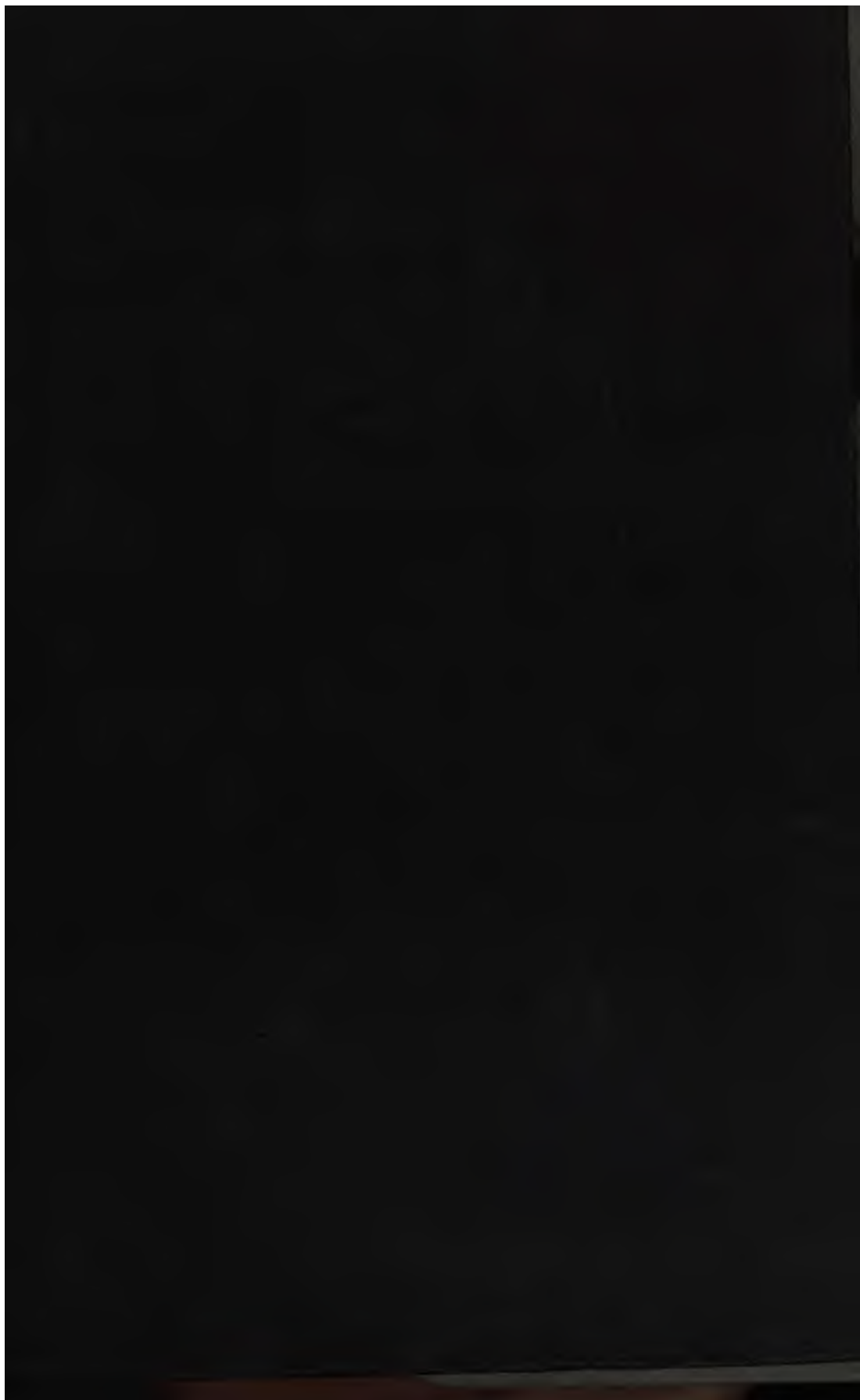
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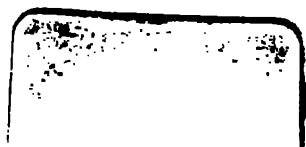
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John Winthrop

Governor of Connecticut

HISTORY

LONDON:
R. J. KENNETT.

1837

1009.



HISTORY
OF THE
UNITED STATES,

FROM THE
DISCOVERY OF THE AMERICAN CONTINENT.

BY GEORGE BANCROFT.

VOL. II.

BOSTON:
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CONTENTS.

CHAPTER XI.

THE RESTORATION OF THE STUARTS.

Failure of the Democratic Revolution in England, p. 1—Charles convenes and dissolves a Parliament, 2—Council at York, 3—Long Parliament, 4—Death of Strafford—Progress of Reforms, 5—Long Parliament becomes a Tyranny, 6—The Remonstrance, 7—Civil War—Nature of the Contest, 8—Division of Parties—Presbyterians and Independents, 9—Cromwell and Vane, 11—Triumph of the Independents, 14—Trial and Execution of Charles I., 15—The Counter Revolution, 18—Cromwell and the Parliament, 19—His Character, 20—His Parliaments, 23—His Death—Richard, 27—Character of Monk, 28—Restoration, 29—Death of Peters, 32—The Regicides, 34—Henry Vane, 36—Supremacy claimed for Parliament, 41—Navigation Acts, 42—Character of Charles II., 48—Massachusetts, 50—Connecticut, 51—Character of the younger Winthrop, 52—His Success, 54—History of Connecticut, 56—Rhode Island, 61—Charter read and accepted, 63—John Clarke, 64—Perfect Liberty of Conscience, 65—Maryland, 68—Virginia—Grants of Territory, 69.

CHAPTER XII.

MASSACHUSETTS AND CHARLES II.

Address to the King, 71—John Eliot, 72—Declaration of Rights, 73—Parties in the Colony, 74—Intolerance renewed, 76—Appointment of Royal Commissioners, 77—Remonstrance, 79—Union of Hartford and New Haven, 83—Commissioners in Plymouth, 84—in Massachusetts, 85—in New Hampshire and Maine, 86—Debate in the General Court, 87—Conquest of Canada proposed, 88—Debate in the Privy Council, 89—Prosperity of Massachusetts, 91—Population of New England in 1675, 92—The Praying Indians, 94—Philip of Pokanoket, 98—Causes of War, 99—King Philip's War, 100—Defeat of the Pokanokets, 102—Indian Warfare, 103—Ruin of the Narragansetts, 104—Canonchet, 105—Towns burned—Lancaster—Mary Rowlandson, 106—The Fate of Philip and his Family, 108—The Result, 109—War in Maine, 110—Randolph in New England, 111—Purchase of Maine, 113—New Government, 114

—New Hampshire a royal Province, 115—Spirit of the People, 116—Disputes with Cranfield, 117—Massachusetts and the Acts of Navigation, 120—The *Quo warranto*, 124—Debate on the required Surrender, 125—Judgment, 127.

CHAPTER XIII.

SHAFTESBURY AND LOCKE LEGISLATE FOR CAROLINA.

Proprietaries of Carolina, 128—Opposing Claims, 130—New England Men, 131—Parties from Virginia, 133—Drummond, 135—Planters from Barbadoes, 136—Second Charter, 137—Charter extended—Ashley Cooper, 139—John Locke, 144—Constitutions, 146—Rejected in North Carolina, 151—George Fox, 154—The Government in North Carolina, 156—Insurrection and free Government, 159—Seth Sothel, 163—Character of the Settlements in North Carolina, 164—First Emigration to South Carolina, 166—The Government, 168—Charleston, 169—Emigrants—Africans, 170—Dutch, 171—Vinedressers—Churchmen—Dissenters, 172—Irish—Scottish Presbyterians, 173—Huguenots, 174—Their tardy Enfranchisement, 183—Contest between the People and the Proprietaries, 184—The People prevail, 187.

CHAPTER XIV.

THE COLONIES ON THE CHESAPEAKE BAY.

The People of Virginia, 188—Aristocracy, 190—Servants, 191—Slaves, 193—Parties in Virginia at the Restoration, 195—The Royalists carry the Elections, 196—The Navigation Act, 197—Royalist Legislation—A State Religion, 200—A fixed Revenue to the Crown, 203—An irresponsible Judiciary—Taxation by County Courts, 204—Law for Biennial Assemblies abrogated, 205—Extravagant Wages of Burgesses, 206—Universal Suffrage abolished, 207—Charles II. gives away Virginia, 209—The Old Dominion in 1674, 211—Struggle for popular Freedom, 213—Contests with the Indians, 215—Nathaniel Bacon, 217—Royalist Assembly dissolved—Popular Party elect a Majority of the new Assembly, 219—Its Acts, 220—The grand Rebellion, 222—Drummond's Proposition, 224—Bacon rises, 226—Jamestown burned, 227—Death of Bacon, 228—Robert Beverley—Hansford, 229—Cheesman and Wilford, 230—Drummond, 231—The Result, 233—Maryland, 234—Death of Lord Baltimore, 238—"Baconists" in Maryland, 240—Restrictions on Suffrage, 241—Protestantism, 243—A Tory President, 244—Revolution, 245—Culpepper in Virginia, 246—Increase of Royal Power, 247—Appeals to the Assembly prohibited, 248—Virginia redeemed—Howard of Effingham, 249—Rebels sent to Virginia, 250—Kidnapped Men and Boys, 251—Despotism, 252—Resisted, 253—Tendencies to Union, 255.

CHAPTER XV.

NEW NETHERLANDS.

Holland and Union, 256—Revolution in the Netherlands, 257—Holland—Zealand, 259—Origin of the Dutch West India Company, 260—Henry Hudson, 264—Sails up the North River, 266—The uncultivated Wilderness, 267—Geographical Features, 268—Progress, 269—Hudson's last Voyage, 270—The Dutch traffic on the North River, 272—Albany, 273—Olden Barneveld and Grotius oppose Colonization in America, 274—West India Company chartered, 275—Colonization, 277—Colonial Diplomacy, 278—Charter of Liberties, 279—Monopoly of Lands, 280—De Vries plants Delaware, 281—Dutch Fort at Hartford, 283—Gustavus Adolphus and New Sweden, 284—Dutch and Indian Wars, 288—Roger Williams mediates a Truce, 291—Peace, 292—Stuyvesant's Administration, 293—New England, 294—New Albion—New Sweden, 295—Amsterdam purchases Delaware, 298—Emigrants—Jews, 300—Waldenses, 301—Huguenots, 302—Africans, 303—Dawn of Democratic Liberty, 304—Effects of the Restoration of Charles II., 308—Conquest of New Netherlands, 312—New Jersey, 315—Delaware, 319—New York, 320—New York reconquered, 322—Restored—Rights of Neutral Flags, 325.

CHAPTER XVI.

THE PEOPLE CALLED QUAKERS IN THE UNITED STATES.

Unity of the Human Race—Progress of Emancipation, 326—Power of the People in England, 327—Progress of Intellectual Freedom, 328—Speculative Truth, 329—Quakers, 330—George Fox, 331—Struggle for Freedom of Mind, 332—Obtains it, 333—Preaches Freedom to the People, 334—His Purpose, 336—The Inner Light—Its Reality, 337—Quaker Method, the Method of Descartes, 338—Asserts Freedom of Conscience, and of Mind, 339—Repels Superstition, 340—Respects universal and necessary Truths, 341—The Bible, 342—Christianity—Philosophy, 343—Quaker Morality, 344—Vows—Power—Riches, 345—Education—Capital Punishments—Imprisonment for Debt—War, 346—Common Prayer—The Sacraments—Mourning—Oaths—Sensual Pleasures—Dress, 347—Style—Tracts—Hireling Ministry—Persecution—Resistance, 348—Quaker Method of Revolution, 349—Power of Truth, 350—Faith in Humanity—Universal Enfranchisement, 351—Priesthood—Woman, 352—Kings—Nobles—Titles—Hat Worship, 353—Influence of the Age on Fox, 354—Progress of his Opinions, 355—Quakers persecuted, 356—They buy West New Jersey, 357—The Concessions, 358—The Quaker Constitution, 359—Relations with the Indians, 360—with the Duke of York, 361—Progress of the Settlement, 362—William Penn, 363—Pennsylvania, 364—Letter to the People, 365—Monopoly, 367—Government, 368—Free Society—Delaware, 369—Sails for America—Life of Penn, 370—John Locke and Penn, 379

—Penn on the Delaware, 382—The Great Treaty with the Indians, 383—Organization of the Government, 386—Penn and Baltimore, 387—Philadelphia, 389—Constitutions established, 390—Trial for Witchcraft, 393—Progress, 394—Penn's Farewell, 395—Boundary with Maryland, 396—Penn in England, 397—His Fame—His Fortunes, 400—Quaker Legislation, 401—Indian Alarm, 402—Slavery, 403—Death of George Fox, 404.

CHAPTER XVII.

JAMES II. CONSOLIDATES THE NORTHERN COLONIES.

Andros in New York, 405—Claims Connecticut, 406—Character of James II., 407—His Colonial Policy, 408—New York discontented, 409—East New Jersey, 410—Cause of the Emigration of Scottish Presbyterians, 411—No Persecution in New Jersey, 414—Free Trade in New York, 415—Charter of Liberties, 416—The Five Nations, 417—Their Wars with other Tribes, 418—with the French, 419—Treaty at Albany, 420—War with the French, 423—Policy of Louis XIV., 424—Magnanimity of the Onondagas, 425—War revived, 426—Treaty for New England—Dudley, Andros, 427—Tyranny, 428—John Wise resists, 429—Rhode Island, 431—Connecticut, 432—Consolidation, 433—England, Clarendon's Ministry, 434—The Cabal, 435—Shaftesbury, 436—Danby, 437—Shaftesbury, 438—Reaction, 440—James II., 441—Baxter, 442—The Tories, the Whigs, 443—Penn's Party, 444—The Revolution of 1688, 445—Revolution in Massachusetts, 447—Plymouth, Rhode Island, 449—Connecticut, New York, 450—Absolute Sovereignty of Parliament, 451.

CHAPTER XVIII.

THE RESULT THUS FAR.

Population of the twelve oldest States in 1688, 452—Elements of the Country—A free People, 453—An Anglo-Saxon People—Character of the Virginians, 454—A Christian People, 455—A Protestant People—Political Character of Protestantism—Christianity originally an Enfranchisement—Origin of the Political Influence of the Seven Sacraments—The exclusive Sacraments found a spiritual Tyranny, 456—Imperfect Resistance from Scholastic Theologians; from Sensualists; from the feudal Aristocracy; from Monarchs; from Scholars, 457—Wickliffe appeals to the People—John Husa, 458—Luther and Lutheranism, 459—Anabaptists—Calvin, 461—Political Mission of Calvinism—Calvinism revolutionized the English World, 462—Calvinism and Massachusetts, 463—Progress in New England—Connecticut, 464—Rhode Island—The Quakers—Coincidence of Quakers and Descartes, 465—America struggles for Universality—Influence on the Red Man—on the Black Man, 466—France, England, and the Rising Colonies, 467.

COLONIAL HISTORY.

CHAPTER XI.

THE RESTORATION OF THE STUARTS.

THE principles that should prevail in the administration of the American colonies, always formed a dividing question between the political parties in England. The restoration of the legitimate dynasty was attended by a corresponding change in colonial policy.

The revolution, which was now come to its end, had been in its origin a democratic revolution, and had apparently succeeded in none of its ultimate purposes. In the gradual progress of civilization, the power of the feudal aristocracy had been broken by the increased authority of the monarch; and the people, now beginning to claim the lead in the progress of humanity, prepared to contend for equality against privilege, as well as for freedom against prerogative. The contest failed for a season, because too much was at once attempted. Immediate emancipation from the decaying institutions of the past was impossible; hereditary inequalities were themselves endeared to the nation, from a love for the beneficent institutions with which close union had identified them; the mass of the people was still buried in the inactivity of listless ignorance; even for the strongest minds, public experience had not yet generated the principles by which

CHAP. a reconstruction of the government on a popular basis
 XI. could have been safely undertaken; and thus the
 democratic revolution in England was a failure, alike
 from the events and passions of the fierce struggle
 which rendered moderation impossible, and from the
 misfortune of the age, which had not as yet acquired
 the political knowledge that time alone could gather
 for the use of later generations.

1629 Charles I., conspiring against the national constitu-
 to tion, which he, as the most favored among the natives
 1640. of England, was the most solemnly bound to protect,
 had resolved to govern without the aid of a parliament.
 To convene a parliament was, therefore, in itself, an
 1640. acknowledgment of defeat. The house of commons,
 April which assembled in April, 1640, was filled with men
 6. not less loyal to the monarch than faithful to the
 people; yet the king, who had neither the resignation
 of wise resolution, nor yet the daring of despair, per-
 petually vacillating between the desire of destroying
 English liberty, and a timid respect for its forms, dis-
 regarded the wishes of his more prudent friends, and,
 under the influence of capricious passion, suddenly
 May dissolved a parliament more favorable to his interests
 5. than any which he could again hope from the excite-
 ment of the times. The friends of the popular party
 were elated at the dissolution. "This parliament
 could have remedied the confusion," said the royalist
 Hyde, afterwards earl of Clarendon, to St. John. The
 countenance of the sombre republican, usually clouded
 with gloom, beamed with cheerfulness as he replied,
 "All is well; things must be worse before they can
 be better; this parliament could never have done what
 is necessary to be done."¹

¹ Clarendon, i. 140.

The exercise of absolute power was become more CHAP. XI. difficult than ever. The haughty Strafford had advised 1640. violent counsels. There were those who refused to take the oath never to consent to alterations in the church of England. "Send for the chief leaders," wrote Strafford,¹ "and lay them by the heels; no other satisfaction is to be thought of." But Strafford was not without his enemies among the royalists. During the suspension of parliament, two parties in the cabinet had disputed with each other the administration and the emoluments of despotism. The power of the ministers and the council of state was envied by the ambition of the queen and the greedy selfishness of the courtiers; and the arrogant Strafford and the unbending Laud had as bitter rivals in the palace as they had enemies in the nation. There was no unity among the friends of absolute power.

The expedient of a council of peers, convened at Sept. 24. York, could not satisfy a people that venerated representative government as the most valuable bequest of its ancestors; and a few weeks made it evident that concession was necessary. The councils of Charles were divided by hesitancy, rivalries, and the want of plan; while the popular leaders were full of energy and union, and were animated by what seemed a distinct purpose, the desire of limiting the royal authority. The summons of a new parliament was now on the part of the monarch a surrender at discretion. But by the English constitution, the royal prerogative was in some cases the bulwark of popular liberty; the subversion of the royal authority made a way for the despotism of parliament.

¹ Strafford's Letters, ii. 409. April 10, 1640.

CHAP. The Long Parliament was not originally homoge-
 XI. neous. The usurpations of the monarch threatened
 1640. the privileges of the nobility not less than the liberties
 Nov. of the people. The movement in the public mind,
 3. though it derived its vigor as well as its origin from the
 rising influence of the Puritans, was not directed to-
 wards vindicating power for the people, but only aimed
 at raising an impassable barrier against the encroach-
 ments of royalty. The object met with favor from a
 majority of the peerage, and from royalists among the
 commons; and the past arbitrary measures of the court
 found opponents in Hyde, the inflexible tory and
 faithful counsellor of the Stuarts; in the more scrupu-
 lous Falkland, who hated falsehood and intrigue, and
 whose imagination inclined him to the popular side,
 till he began to dread innovations from its leaders more
 than from the ambition of the king; and even in Capel,
 afterwards one of the bravest of the Cavaliers, and a
 martyr on the scaffold for his obstinate fidelity. The
 highest authority in England began to belong to the
 majority in parliament; no republican party as yet
 existed; the first division ensued between the ultra
 royalists and the vast undivided party of the friends of
 constitutional monarchy; and though the house was in
 a great measure filled with members of the aristocracy,
 the moderate royalists were united with the friends of
 the people; and, on the choice of speaker, an immense
 majority appeared in favor of the constitution.

The sagacity of the earl of Strafford anticipated danger, and he desired to remain in Ireland. "As I am king of England," said Charles,¹ "the parliament shall not touch one hair of your head;" and the re-

¹ Whitelocke, 36.

iterated urgency of the king compelled his attendance. His arraignment, within eight days of the commencement of the session, marks the resolute spirit of the commons ; his attainder was the sign of their ascendancy. "On the honor of a king," wrote ¹ Charles to the prisoner, "you shall not be harmed in life, fortune, or honor;" and the fourth day after the passage of the bill of attainder, as if to reveal his weakness, the king could send his adhesion to the commons, adding, "If Strafford must die, it were charity to reprieve him till Saturday."² Men dreaded the service of a sovereign whose love was so worthless, and whose prerogative was so weak ; safety was found on the side of the people ; and the parliament was left without control to its work of reform. Its earliest acts were worthy of all praise. The liberties of the people were recovered and strengthened by appropriate safeguards ; the arbitrary courts of High Commission, and the court of Wards, were broken up ; the Star Chamber, doubly hated by the aristocracy, as "ever a great eclipse to the whole nobility,"³ was with one voice abolished ; the administration of justice was rescued from the paramount influence of the crown ; and taxation, except by consent, was forbidden. The principle of the writ of habeas corpus was introduced ; and the kingdom of England was lifted out of the bondage of feudalism by a series of reforms, which were afterwards renewed, and which, when successfully embodied among the statutes, the commentator on English law esteemed above Magna Charta itself.⁴ These measures were national, were adopted almost without opposition, and

CHAP.
XI.Nov.
11.
1641.
April
21.May
11.¹ Strafford's Letters, ii. 416.² Burnet, i. 43. Compare Lingard's note, x. c. ii. 108, 109.³ Lord Andover, in Macauley, iii. 3. Rushworth, iv. 204.⁴ Blackstone, b. iv. c. xxxiii. 437.

CHAP. received the nearly unanimous assent of the nation.
 XI.
 ~~~~~ They were truly English measures, directed in part  
 1641 against the abuses introduced at the Norman conquest,  
 in part against the encroachments of the sovereign.  
 They wiped away the traces that England had been  
 governed as a conquered country; they were in har-  
 mony with the intelligence and the pride, the preju-  
 dices and the wants of England. Public opinion was  
 the ally of the parliament.

But an act declaring that the parliament should  
 neither be prorogued nor dissolved, unless with its own  
 consent, had also been proposed, and urged with per-  
 tinacity till it received the royal concurrence. Parlia-  
 ment, in its turn, subverted the constitution, by estab-  
 lishing its own paramount authority, and making itself  
 virtually irresponsible to its constituents; it was evident  
 a parliamentary despotism would ensue. The English  
 government was substantially changed, in a manner  
 injurious to the power of the executive, and still more  
 dangerous to the freedom of the people. The king, in  
 so far as he opposed the measure, was the friend of  
 popular liberty; the passage of the act placed the  
 people of England, not less than the king, at the mercy  
 of the parliament. The methods of tyranny are always  
 essentially the same; the freedom of the press was  
 subjected to parliamentary censors. The usurpation  
 foreboded the subversion of the throne, and the sub-  
 jection of the people. The liberators of England were  
 become its tyrants; the rights of the nation had been  
 asserted only to be sequestered for their use.

The spirit of loyalty was still powerful in the com-  
 mons; as the demands of the commons advanced,  
 stormy debates and a close division ensued. Falkland,  
 and Capel, and Hyde, now acted with the court. The

remonstrance on the state of the kingdom, an uncom-  
 promising manifesto against the arbitrary measures of <sup>CHAP.</sup>  
 Charles, was democratic in its tendency; because it <sup>XI.</sup>  
 proposed no specific reform, but was rather a general <sup>1641.</sup>  
 and exciting appeal to popular opinion. The English  
 mind was already as restless as the waves of the ocean  
 by which the island is environed; the remonstrance  
 was designed to increase that restlessness; in a house  
 of more than five hundred members, it was adopted by  
 the meagre majority of eleven. "Had it not been  
 carried," said Cromwell to Falkland, "I should have  
 sold all I possess, and left the kingdom; many honest  
 men were of the same resolution." From the contest  
 for "English liberties" men advanced to the discus-  
 sion of natural rights; with the expansion of their  
 views, their purposes ceased to be definite; and  
 already reform was changing into a revolution. They  
 were prepared to strip the church of its power, and  
 royalty of its prescriptive sanctity; and it was observ-  
 able, that religious faith was on the side of innovation,  
 while incredulity abounded among the supporters of  
 the divine right. <sup>Nov.</sup>  
<sup>22.</sup>

The policy of the king preserved its character of  
 variableness. He had yielded where he should have  
 been firm; and he now invited a revolution by the  
 violence of his counsels. Moderation and sincerity  
 would have restored his influence. But when, attended <sup>1642.</sup>  
 by armed men, he repaired in person to the house of <sup>Jan.</sup>  
 commons, with the intent of seizing six of the leaders <sup>4.</sup>  
 of the patriot party, whose execution was to soothe his  
 fears, and tranquillize his hatred, the extreme pro-  
 cedure, so bloody in its purpose, and so illegal in its  
 course, could only rouse the nation to anger against its  
 sovereign, justify for the time every diminution of his

CHAP. prerogative, and, by inspiring settled distrust, animate  
 XI. the leaders of the popular party to a gloomy inflexi-  
 1642. bility. There was no room to hope for peace. The  
 monarch was faithless, and the people knew no remedy.  
 A change of dynasty was not then proposed; and  
 England languished of a disease for which no cure had  
 been discovered. It was evident that force must de-  
 cide the struggle. The parliament demanded the  
 control of the national militia with the possession of  
 the fortified towns. But would the Cavaliers consent  
 to surrender all military power to plebeian statesmen?  
 Would the nobility endure that men should exercise  
 dominion over the king, whose predecessors their an-  
 cestors had hardly been permitted to serve? To  
 Charles, who had had neither firmness to maintain his  
 just authority, nor sincerity to effect a safe reconcilia-  
 tion, no alternative remained, but resistance or the  
 surrender of all power; and, unfurling the royal stand-  
 ard, he began a civil war.

Aug.  
24

The contest was between a permanent parliament and an arbitrary king. The people had no mode of intervention except by serving in the armies; they could not come forward as mediators or as masters. The parliament was become a body, of which the duration depended on its own will; unchecked by a supreme executive, or by an independent coördinate branch of legislation; and, therefore, of necessity, a multitudinous despot, unbalanced and irresponsible; levying taxes, enlisting soldiers, commanding the navy and the army, enacting laws, and changing at its will the forms of the English constitution. The issue was certain. Every representative body is swayed by the interests of its constituents, the interests of its own assembly, and the personal interests of its respective

members ; and never was the successive predominance of each of these sets of motives more clear than in the Long Parliament. Its first acts were mainly for its constituents, whose rights it vindicated, and whose liberties it increased ; its corporate ambition next prevailed, and it set itself against the throne and the peerage, both of which it was hurried forward to subvert ; individual selfishness at last had its triumph, and there were not wanting men who sought lucrative jobs, and grasped at disproportioned emoluments. Nothing could check the progress of degeneracy and corruption ; the example, the ability, and the conscientious purity of Henry Vane were unavailing. Had the life of Hampden been spared, he could not have changed the course of events, for he could not have changed the laws of nature, and the principles of human action.

CHAP.  
XL  
~

The majority in parliament was become the despot of England ; and after one hundred and eighteen royalist members, obeying the summons of the king, had repaired to Oxford, the cause of royalty was powerless in the legislature. The party of the Church of England was prostrate ; but religious and political parties were identified ; and the new division conformed itself to the rising religious sects. Now that the friends of the Church had withdrawn, the commons were at once divided into two imposing parties—the Presbyterians and the Independents ; the friends of a political revolution which should yet establish a nobility and a limited monarchy ; and the friends of an entire revolution on the principle of equality.

The majority was with the Presbyterians, who were elated with the sure hope of a triumph. They represented a powerful portion of the aristocracy of Eng-

**CHAP.** land ; they had, besides a majority in the commons,  
**XI.** the exclusive possession of the house of lords ; they  
held the command of the army ; they had numerous  
and active adherents among the clergy ; the English  
people favored them ; Scotland, which had been so  
efficient in all that had thus far been done, was entirely  
devoted to their interests ; and they hoped for a com-  
promise with their sovereign. They envied the success  
of tyranny more than they abhorred its principles :  
monarchy, with Presbyterianism as the religion of  
state, was their purpose ; and they were at all times  
prepared to make peace with the king, if he would but  
consent to that revolution in the Church which would  
secure their political ascendancy.

And what counterpoisè could be offered by the Inde-  
pendents ? How could they hope for superior influ-  
ence, when it could be gained only by rising above the  
commons, the peers, the commanders of the army, all  
Scotland, and the mass of the English people ? They  
had no omen of success but the tendency of revolutions,  
the enthusiasm of new opinions, the inclination of the  
human mind to push principles to their remoter conse-  
quences. An amalgamation with the Presbyterians  
would have implied subjection ; power could be gained  
only by that progress in innovations which would drive  
the Presbyterians into opposition. The Independents,  
sharing in the agitation of the public mind, made the  
new ideas the support of their zeal, and the basis of  
their party. They gradually became the advocates of  
religious liberty and the power of the people. Their  
eyes were turned towards democratic institutions ; and  
the glorious vision of emancipating the commons of Eng-  
land from feudal oppression, from intellectual servitude,  
and from a long aristocracy of superstition, inflamed

them with an enthusiasm which would not be rebuked CHAP.  
XI. by the inconsistency of their schemes with the opinions, habits, and institutions of the nation.

The Presbyterian nobility, who had struggled for their privileges against royal power, were unwilling that innovation should go so far as to impair their rank or diminish their grandeur; the Independents, as new men, who had their fortunes to make, were prepared not only to subvert the throne, but to contend for equality against privilege. "The Presbyterian earl of Manchester," said Cromwell, "shall be content with being no more than plain Montague." The men who broke away from the forms of society, and venerated nothing but truth; others who, in the folly of their pride, claimed for their opinions the sanctity and the rights of truth; they who sighed for a more equal diffusion of social benefits; the friends of entire liberty of conscience; the friends of a reform in the law, and a diminution of the profits of the lawyers; the men, like Milton and Sidney, whose imagination delighted in pictures of Roman liberty, of Spartan virtue; the less educated, who indulged in visions of a restoration of that happy Anglo-Saxon system, which had been invented in the woods in days of Anglo-Saxon simplicity; the republicans, the levellers, the fanatics,—all ranged themselves on the side of the rising party.

The true representative of the better principles of the Independents was Henry Vane; but the acknowledged leader of the party was Oliver Cromwell. Was he sincere? Or was he wholly a hypocrite? It is difficult to disbelieve that his mind was honestly imbued with the extreme principles of Puritan reforms; but the man whose ruling motive is ambition, soon



**CHAP.** gains the mastery over his own convictions, and values  
**XI.** and employs ideas only as instruments to his advancement. Self-love easily dupes conscience ; and Cromwell may have always believed himself faithful to the interest of England. All great men are inclined to fatalism ; for their success is a mystery to themselves ; and it was not entirely with hypocrisy, that Cromwell, to the last, professed himself the servant of Providence, borne along by irresistible necessity.

Had peace never been broken, the Independents would have remained a powerless minority ; the civil war gave them a rallying point in the army. In the season of great public excitement, fanatics crowded to the camp ; an ardor for popular liberty mingled with the fervors of religious excitement. Cromwell had early perceived that the honor and valor of the Cavaliers could never be overthrown by ordinary hirelings ; he therefore sought to fill the ranks of his army with enthusiasts. His officers were alike ready to preach and pray, and to take the lead in the field of battle. With much hypocrisy, his camp was the scene of much real piety ; and long afterwards, when his army was disbanded, its members, who, for the most part, were farmers and the sons of farmers, resumed their places among the industrious classes of society ; while the soldiers of the royalists were often found in the ranks of vagabonds and beggars. It was the troops of Cromwell that first, in the open field, broke the

1644. ranks of the royal squadrons ; and the decisive victory  
 July of Marston Moor was won by the iron energy and  
 2 valor of the godly saints whom he had enlisted.

1647. The final overthrow of the prospects of Charles in the field. marks the crisis of the struggle for the as-

cendant between the Presbyterians and Independents. CHAP.  
XI.  
 The former party had its organ in the parliament, the latter in the army, in which the Presbyterian commander had been surprised into a resignation by the self-denying ordinance, and the intrigues of Cromwell. As the duration of the parliament was unlimited, the army refused to be disbanded ; claiming to represent the interests of the people, and actually constituting the only balance to the otherwise unlimited power of the parliament. The army could call the parliament a usurper, and the parliament could arraign the army as a branch of the public service, whose duty was obedience, and not counsel. On the other hand, if the parliament pleaded its office as the grand council of the nation, the army could urge its merits as the active and successful antagonist to royal despotism.

The new crisis was inevitable. The Presbyterians 1647. broke forth into menaces against the army. " These men," whispered Cromwell to Ludlow, " will never leave till the army pull them out by the ears." <sup>1</sup> The Presbyterian majority was in a false position ; it appeared to possess paramount power, and did not actually possess it. Could they gain the person of the king, and succeed in pacific negotiations, their influence would be renewed by the natural love of order in the minds of the English people. A collision with the Independents was unavoidable ; for the Independents could in no event negotiate with the king. In every negotiation a free parliament must have been a condition ; and a free parliament would have been their doom. Self-preservation, uniting with ambition and wild enthusiasm, urged them to uncompromising hostility with Charles I. He or they must perish. " If

<sup>1</sup> Ludlow, 73.

CHAP. XI. my head or the king's must fall," argued Cromwell, "can I hesitate which to choose?" By an act of violence the Independents seized on the king, and held him in their special custody. "Now," said the exulting Cromwell, "now that I have the king in my hands, I have the parliament in my pocket."

At length the Presbyterian majority, sustained by the admirable eloquence of Prynne, attempted to dis-  
 1648. pense with the army, and by a decided vote resolved  
 Dec. 5. to make peace with the king. To save its party from an entire defeat, the army interposed, and  
 Dec. 6. "purged" the house of commons. "Hear us," said the excluded members to Colonel Pride, who expelled them. "I cannot spare the time," replied the soldier. "By what right are we arrested?" demanded they of the extravagant Hugh Peters. "By the right of the sword," answered the late envoy from Massachusetts. "You are called," said he, as he preached to the decimated parliament, "to lead the people out of Egyptian bondage; this army must root up monarchy, not only here, but in France and other kingdoms round about."<sup>1</sup> Cromwell, the night after "the interruption," reiterated, "I knew nothing of these late proceedings; but since the work has been done, I am glad of it, and will endeavor to maintain it."<sup>2</sup>

When the house of commons had thus been eliminated, there remained few beside republicans; and it was resolved to bring the unhappy monarch to trial before a special commission. "Providence and necessity," said Cromwell, affecting indecision, "have cast the house upon this deliberation. I shall pray God to bless our counsels."<sup>3</sup> The young and sincere Alger-

<sup>1</sup> C. Walker, *Hist. of Independency*, ii. 50, 51 (published anonymously), by Theodorus Verax.

<sup>2</sup> Ludlow, 105.

<sup>3</sup> Walker, ii. 54.

non Sidney opposed, and saw the danger of a counter revolution. "No one will stir," cried Cromwell impatiently; "I tell you we will cut off his head with the crown on it."<sup>1</sup> Sidney withdrew; and Charles was abandoned to the sanguinary severity of a sect. To sign the death-warrant was a solemn deed, from which some of his judges were ready to shrink; Cromwell concealed the magnitude of the act under an air of buffoonery; the chamber rung with gayety; he daubed the cheek of one of the judges that sat next him with ink, and, amidst shouts of laughter, compelled another, the wavering Ingoldsby, to sign the paper as a jest. The ambassadors of foreign princes, eager to make purchases when the collections of the unhappy king were sold at auction, presented no remonstrance. Holland alone negotiated. The English people were overawed.

Treason against the state, on the part of its highest officers, is the darkest of human offences. Fidelity to the constitution is due from every citizen; in a monarch, the debt of gratitude is enhanced, for the monarch is the hereditary and special favorite of the fundamental laws. The murderer, even where his victim is eminent for genius and virtue, destroys what time will repair; and, deep as is his guilt, society suffers but transiently from the transgression. But the king who conspires against the liberties of the nation, conspires to subvert the most precious bequest of past ages, the dearest hope of future time; he would destroy genius in its birth, and enterprise in its sources, and sacrifice the prolific causes of intelligence and virtue to his avarice or his vanity, his caprices or his ambition; would rob

<sup>1</sup> See Godwin, ii. 669.

**CHAP.** the nation of its nationality, the people of the prerogatives of man ; would deprive common life of its sweets, **XL.** by depriving it of its security, and religion of its power to solace, by subjecting it to supervision and control. His crime would not only enslave a present race of men, but forge chains for unborn generations. There can be no fouler deed.

Tried by the standard of his own intentions and his own actions, Charles I., it may be, had little right to complain. Yet when history gives its impartial verdict<sup>1</sup> on the execution, it remembers that, by the laws of England, the meanest individual could claim a trial by his peers ; and that the king was delivered, by a decimated parliament, which had prejudged his case, to a commission composed of his bitter and uncompromising enemies, and erected in defiance of the wishes of the people. His judges were but a military tribunal ; and the judgment which assumed to be a solemn exercise of justice on the worst of criminals, arraigned by a great nation, and tried by its representatives, was in truth an act of tyranny. His accusers could have rightfully proceeded only as the agents of the popular sovereignty ; and the people disclaimed the deed. An appeal to the people would have reversed the decision. The Churchmen, the Presbyterians, the lawyers, the opulent landholders, the merchants, and the great majority of the English nation, preferred the continuance of a limited monarchy. There could be no republic ; there was no republic. Not sufficient advancement had been made in political knowledge. Milton believed himself a friend of popular liberty ; and yet his scheme of government, which proposed to sub-

<sup>1</sup> William Prynne's Protestation, ii. 52—54. So, too, Mayhew of in Walker's *Anarchia Anglicana*, Boston. Mass. Hist. Coll. ii. 35.

ject England to the perpetual executive power of a close corporation, was far less favorable to equal freedom and to progress than monarchy itself. Not one of the proposed methods of government was capable of being realized. Lilbourne's was, perhaps, the most consistent, but was equally impracticable. CHAP.  
XI.

If the execution of Charles be considered by the rule of utility, its effects will be found to have been entirely bad. A free parliament would have saved the king, and reformed church and state ; in aiming at the immediate enjoyment of democratic liberty, the statesmen of that day long delayed the actual progress of popular enfranchisements. Nations change their institutions but slowly : to attempt to pass abruptly from feudalism and monarchy to democratic equality, was the thought of enthusiasts, who understood neither the history, the character, nor the condition of the country. It was like laying out into entirely new streets, a city that was already crowded with massive structures, resting on firm foundations. Cromwell alone profited by the death of the king : the deed was his policy, and not the policy of the nation.

The remaining members of the commons were now by their own act constituted the sole legislature and sovereign of England. The peerage was abolished with monarchy ; the connection between state and church rent asunder ; but there was no republic. Selfish ambition forbade it ; the state of society and the distribution and tenure of property forbade it. The commons usurped not only all powers of ordinary legislation, but even the right of remoulding the constitution. They were a sort of collective, self-constituted, perpetual dictatorship. Like Rome under its decemviri, England was enslaved by its legislators ; English

**CHAP.** liberty had become the patrimony and estate of the  
**XI.** commons ; the forms of government, the courts of justice, peace and war, all executive, all legislative power, rested with them. They were irresponsible, absolute, and apparently never to be dissolved but at their own pleasure.

But the commons were not sustained by the public opinion of the nation. They were resisted by the royalists and the Catholics, by the Presbyterians and the fanatics, by the honest republicans and the army. In Ireland, the Catholics dreaded the worst cruelties that Protestant bigotry could inflict. Scotland, almost unanimous in its adhesion to Presbyterianism, regarded with horror the rise of democracy, and the triumph of the Independents ; the fall of the Stuarts foreboded the overthrow of its independence ; it loved liberty, but it loved its nationality also. It feared the sovereignty of an English parliament, and desired the restoration of monarchy as a guaranty against the danger of being treated as a conquered province. In England, the opulent landholders, who swayed their ignorant dependents, rendered popular institutions impossible ; and too little intelligence had as yet been diffused through the mass of the people, to make them capable of taking the lead in the progress of civilization. The fruitful schemes of social and civil equality found no support but in the enthusiasm of the few who fostered them ; and the heaviest clouds of discontent gathered sullenly round the nation.

The attempt at a counter revolution followed. But the parties by which it was made, though a vast majority of the three nations, were filled with mutual antipathies ; the Catholics of Ireland had no faith in the Scottish Presbyterians ; and these in their turn

were full of distrust and hatred of the English Cavaliers. They feared each other as much as they feared the commons. There could therefore be no concert of opposition ; the insurrections, which, had they been made unitedly, had probably been successful, were not simultaneous. The Independents were united ; their strength lay in a small but well-disciplined army ; the celerity and military genius of Cromwell ensured to them unity of counsels and promptness of action ; they conquered their adversaries in detail ; and the massacre of Drogheda, the field of Dunbar, and the victory of Worcester, destroyed the present hopes of the friends of monarchy.

The lustre of Cromwell's victories ennobled the crimes of his ambition. When the forces of the insurgents had been beaten down, there remained but two powers in the state, the Long Parliament and the army. To submit to a military despotism was inconsistent with the genius of the people of England ; and yet the Long Parliament, now containing but a fraction of its original members, could not be recognized as the rightful sovereign of the country, and possessed only the shadow of executive power. Public confidence rested on Cromwell alone. The few true republicans had no party in the nation ; a dissolution of the parliament would have led to anarchy ; a reconciliation with Charles II., whose father had just been executed, was impossible ; a standing army, it was plausibly argued, required to be balanced by a standing parliament ; and the house of commons, the mother of the commonwealth, insisted on nursing the institutions which it had established. But the public mind reasoned differently ; the virtual power rested with the army ; men dreaded confusion, and sighed for peace ; and



**CHAP.** they were pleased with the retributive justice that the  
**XI.** parliament, which had destroyed the English king,  
should itself be subverted by one of its members.

Thus the attempt at absolute monarchy on the part of Charles I., yielded to a constitutional, true English parliament; the control of parliament passed from the constitutional royalists to the Presbyterians, or representatives of a part of the aristocracy opposed to Episcopacy; from the Presbyterians to the Independents, the enthusiasts, real or pretended, for popular liberty; and now that the course of the revolution had outstripped public opinion, a powerful reaction gave the supreme authority to Cromwell. Sovereignty had escaped from the king to the parliament, from the parliament to the commons, from the commons to the army, and from the army to its successful commander. Each revolution was a natural and necessary consequence of its predecessor.

Cromwell was one of those rare men whom even his enemies cannot name without acknowledging his greatness. The farmer of Huntingdon, accustomed only to rural occupations, unnoticed till he was more than forty years old, engaged in no higher plots than how to improve the returns of his farm, and fill his orchard with choice fruit, of a sudden became the best officer in the British army, and the greatest statesman of his time; subverted the English constitution, which had been the work of centuries; held in his own grasp the liberties which the English people had fixed in their affections, and cast the kingdoms into a new mould. Religious peace, such as England till now has never again seen, flourished under his calm mediation; justice found its way even among the remotest Highlands of Scotland; commerce filled the English marts

with prosperous activity under his powerful protection; his fleets rode triumphant in the West Indies; Nova Scotia submitted to his orders without a struggle; the Dutch begged of him for peace as for a boon; Louis XIV. was humiliated; the pride of Spain was humbled; the Protestants of Piedmont breathed their prayers in security; the glory of the English name was spread throughout the world. CHAP.  
XI.

And yet the authority of Cromwell marks but a period of transition. His whole career was an attempt to conciliate a union between his power and permanent public order; and the attempt was always unavailing, from the inherent impossibility growing out of the origin of his power. It was derived from the submission, not from the will of the people; it came by the sword, not from the nation, or from established national usages. Cromwell saw the impracticability of a republic, and offered no excuse for his usurpations, but the right of the strongest to restore tranquillity—the old plea of tyrants and oppressors from the beginning of the world. He had made use of the enthusiasm of liberty for his advancement; he sought to sustain himself by conciliating the most opposite sects. For the republicans he had apologies; “the sons of Zeruah, the lawyers, and the men of wealth, are too strong for us. If we speak of reform, they cry out that we design to destroy all propriety.” To the witness of the young Quaker against priestcraft and war, he replied, “It is very good; it is truth; if THOU and I were but an hour of a day together, we should be nearer one to the other.” From the field of Dunbar he had charged the Long Parliament “to reform abuses, and not to multiply poor men for the benefit of the rich.” Presently he appealed to the moneyed men and the lawyers;

CHAP. XI. -- he alone could save them from the levellers, men more ready to destroy than to reform." Did the sincere levellers, the true commonwealth's men, make their way into his presence, he assured them -- he preferred a shepherd's crook to the office of protector: he would resign all power so soon as God should reveal his definite will: and then he would invite them to pray. -- For," said he one day to the poet Waller, -- I must talk to these people in their own style." Did the passion for political equality blaze up in the breasts of the yeomanry, who constituted his bravest troops, it was checked by the terrors of a military execution. The Scotch Presbyterians could not be cajoled: he resolved to bow their pride: and did it in the only way in which it could be done, by wielding against their bigotry the great conception of the age, the doctrine of Roger Williams and Descartes, freedom of conscience. -- Approbation," said he, as I believe, with sincerity of conviction, -- is an act of expediency, not of necessity. Does a man speak foolishly? suffer him gladly, for ye are wise. Does he speak erroneously? stop such a man's mouth with sound words, that cannot be gainsaid. Does he speak truly? rejoice in the truth." To win the royalists, he obtained an act of amnesty, a pledge of future favor to such of them as would submit. He courted the nation by exciting and gratifying national pride, by able negotiations, by victory and conquest. He sought to enlist in his favor the religious sympathies and enthusiasm of the people, by assuming for England a guardianship over the interests of Protestant Christendom, and burying all the mutual antipathies of sects in one common burning hatred against the court of Rome.

<sup>1</sup> *Thatcher*, i. 161.

Seldom was there a less scrupulous or more gifted politician than Cromwell. But he was no longer a leader of a party. He had no party. A party cannot exist except by the force of common principles; it is truth, and truth only, that of itself rallies men together. Cromwell, the oppressor of the Independents, had ceased to respect principles; his object was the advancement of his family; his hold on opinion went no farther than the dread of anarchy, and the strong desire for order. If moderate and disinterested men consented to his power, it was to his power as high constable, engaged to preserve the public peace. He could not confer on his country a fixed form of government, for that required a concert with the national affections, which he was never able to gain. He had just notions of public liberty, and he understood how much the English people are disposed to deify their representatives. Thrice did he attempt to connect his usurpation with the forms of representative government; and always without success. His first parliament, convened by special writ, and mainly composed of the members of the party by which he had been advanced, represented the movement in the English mind which had been the cause of the revolution. It indulged in pious ecstasies, laid claim to the special enjoyment of the presence of Jesus Christ, and spent whole days in exhortations and prayers. But the delirium of mysticism was not incompatible with clear notions of policy; and amidst the hyperboles of Oriental diction, they prepared to overthrow despotic power by using the power a despot had conceded. The objects of this assembly were all democratic: it labored to effect a most radical reform; to codify English law, by reducing the huge volumes of the common law into a

CHAP.  
XI.1653.  
July  
4.

**CHAP.** few simple English axioms; to abolish tithes; and to  
**XI.** establish an absolute religious freedom, such as the  
 United States now enjoy. This parliament has for  
 ages been the theme of unsparing ridicule. Historians,  
 with little generosity towards a defeated party, have  
 sided against the levellers; and the misfortune of  
 failure in action has doomed them to censure and con-  
 tempt. Yet they only demanded what had often been  
 promised, and what, on the immutable principles of  
 freedom, was right. They did but remember the  
 truths which Cromwell had professed, and had forgot-  
 ten. Cromwell feared their influence; and, finding  
 the republican party too honest to become the dupes  
 of his ambition, he induced such members of the par-  
 liament as were his creatures to resign, and scattered  
 the rest with his troops. The public looked on with  
 much indifference. This parliament, from the mode  
 of its convocation, was unpopular; the royalists, the  
 army, and the Presbyterians, alike dreaded its activity.  
 With it expired the last feeble hope of the republican  
 party. The successful soldier, at once and openly,  
 pleading the necessity of the moment, assumed su-  
 preme power, as the highest peace-officer in the realm.

Cromwell next attempted an alliance with the  
 property of the country. Affecting contempt for the  
 regicide republicans, who, as his accomplices in crime,  
 could not forego his protection, he prepared to espouse  
 the cause of the lawyers, the clergy, and the moneyed  
 interest. Here, too, he was equally unsuccessful.

The moneyed interest loves dominion for itself; it sub-  
 mits reluctantly to dominion; and his second parlia-  
 ment, chosen on such principles of reform as rejected  
 the rotten boroughs, and, limiting the elective franchise  
 to men of considerable estate, made the house a fair

1654,  
 Sept.  
 to  
 1655,  
 Jan.  
 22.

representation of the wealth of the country, was CHAP.  
XI. equally animated by a spirit of stubborn defiance. The parliament first resisted the decisions of the council of Cromwell on the validity of its elections, next vindicated freedom of debate, and, at its third sitting, called in question the basis of Cromwell's authority. "Have we cut down tyranny in one person, and shall the nation be shackled by another?" cried one of the members. "Hast thou, like Ahab, killed and taken possession?" exclaimed another. At the opening of this parliament, Cromwell, hoping for a majority, declared "the meeting more precious to him than life." The majority favored the Presbyterians, and secretly desired the restoration of the Stuarts. The protector dissolved them, saying, "The mighty things done among us are the revolutions of Christ himself; to deny this is to speak against God." How highly the public mind was excited by this abrupt act of tyranny, is evident from what ensued. The dissolution of the parliament was followed by Penruddoc's insurrection.

A third and final effort could not be adventured till the nation had been propitiated by naval successes, and victories over Spain had excited and gratified the pride of Englishmen and the zeal of Protestants. "The Red Cross," said Cromwell's admirers, "rides on the sea without a rival; our ready sails have made a covenant with every wind; our oaks are as secure on the billows as when they were rooted in the forest: to others the ocean is but a road; to the English it is a dwelling-place."<sup>1</sup> The fleets of the protector returned rich with the spoils of Peru; and there were those who joined in adulation;—

<sup>1</sup> Waller, *Of a War with Spain*, verses 23—30.

CHAP.  
XI.  

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"His conquering head has no more room for bays :  
 Let the rich ore forthwith be melted down,  
 And the state fixed by making him a crown ;  
 With ermine clad and purple, let him hold  
 A royal sceptre, made of Spanish gold."

For a moment the question of a sovereign for England seemed but to relate to the Protector Cromwell and the army, or King Cromwell and the army ; and, for the last time, Cromwell hoped, through a parliament, to reconcile his dominion to the English people, and to take a place in the line of English kings. For a season the majority was not unwilling ; the scruples of the more honest among the timid he overcame by levity. Our oath, he would say, is not against the three letters that make the word REX. "Royalty is but a feather in a man's cap ; let children enjoy their rattle."<sup>1</sup> But here his ambition was destined to a disappointment ; the Presbyterians, ever his opponents, found on this point allies in many officers of the army ; and Owen,<sup>2</sup> afterwards elected president of Harvard College, draughted for them a powerful and effectual remonstrance. In view of his own elevation, Cromwell had established an upper house ; its future members to be nominated by the protector, yet in concurrence with the peers. But the wealth of the ancient hereditary nobility continued ; its splendor was not yet forgotten ; the new peerage, exposed to the contrast, excited ridicule without giving strength to Cromwell ; the house of commons continually spurned at their power, and controverted their title. This last parliament was also dissolved. Unless Cromwell could exterminate the Catholics, convert the inflexible Presbyterians, chill the loyalty of the royalists, and corrupt

1658.  
Feb.  
4

<sup>1</sup> Ludlow, 223.

<sup>2</sup> Ludlow, 224.

the judgment of the republicans, he never could hope the cheerful consent of the British nation to the permanence of his government. He had not even a party, except of personal friends, and his government was well understood to be co-extensive only with his life. It was essentially a state of transition. He did not connect himself with the revolution, for he put himself above it, and controlled it; nor with the monarchy, for he was an active promoter of the execution of Charles; nor with the Church, for he subverted it; nor with the Presbyterians, for he barely tolerated their worship, without gratifying their ambition. He rested on himself; his own genius and his own personal resources were the basis of his power. Having subdued the revolution, there was no firm obstacle but himself to the restoration of the Stuarts, and his death was necessarily a signal for new revolutions.

The accession of Richard met with no instant opposition; for the tranquillity of expectation preceded the impending change. Like his father, he had no party in the nation; unlike his father, he had no capacity for public affairs. The restoration of the Stuarts was already resolved upon by the people of England. Richard convoked a parliament only to dissolve it; he could not control the army, and he could not govern England without the army. Involved in perplexities, he resigned. His accession had changed nothing; his abdication changed nothing; content to be the scoff of the proud, he had wisely acted upon the consciousness of his incompetency, and, in the bosom of private life, remote from wars, from ambition, from power, he lived to a great old age in the serene enjoyment of tranquil affections, and of a gentle and modest temper. English politics went forward in their course.



CHAP. **XI.** The council of officers, the revival of the "interrupted" Long Parliament, the intrigues of Fleetwood and Desborough, the transient elevation of Lambert, were but a series of unsuccessful attempts to defeat the wishes of the people. Every new effort was soon a failure; and each successive failure did but expose the enemies of royalty to increased indignation and contempt. In vain did Milton forebode that, "of all governments, that of a restored king is the worst;" nothing could long delay the restoration. The fanaticism which had made the revolution, had burnt out, and was now a spent volcano. Among the possible combinations of human character, is that of an obstinate and almost apathetic courage, a sluggish temperament, a narrowness of mind, and yet a very accurate, though a mean-spirited judgment, which, "like a two-foot rule," measures great things as well as small, not rapidly, but with equal indifference and precision. Such a man was Monk, soon to be famous in American annals, from whose title, as duke of Albemarle, Virginia named one of her most beautiful counties, and Carolina her broadest bay. Sir William Coventry, no mean judge of men, esteemed him a drudge; Lord Sandwich sneered at him plainly as a thick-skulled fool; and the more courteous Pepys paints him as "a heavy, dull man, who will not hinder business, and cannot aid it." He was precisely the man demanded by the crisis. When Monk marched his army from Scotland into England, he was only the instrument of the restoration, not its author. Originally a soldier of fortune in the army of the royalists, he had deserted his party, served against Charles I., and readily offered to Cromwell his support. He had no adequate conceptions of the nature or the value of

liberty, was no statesman, and was destitute of true dignity of character. Incapable of laying among the wrecks of the English constitution the foundations of a new creation of civil liberty, he only took advantage of circumstances to make his own fortune, and gratify his vain passion for rank and place. He cared nothing for England, he cared only for himself; and therefore he made no terms for his country, but only for himself. He was not the cause of the restoration; he did but hold the Presbyterians in check, and, prodigal of perjuries to the last, he prevented the adoption of any treaty or binding compact between the returning monarch and the people.

Yet the want of such a compact could not alarm the determined enthusiasm of the people of England. All classes sighed for the restoration of monarchy, as the only effectual guaranty of peace. The Presbyterians, like repentant sinners at the confessional, hoping to gain favor by an early and effectual union with the royalists, contented themselves with a vague belief that the martyrdoms of Dunbar would never be forgotten; misfortunes and the fate of Charles I. were taken as sureties that Charles II. had learned moderation in the school of exile and sorrow; and his return could have nothing humiliating for the English people, for it was the nation itself that recalled its sovereign. Every party that had opposed the dynasty of the Stuarts, had failed in the attempt to give England a government; the constitutional royalists, the Presbyterians, the Independents, the Long Parliament, the army, had all in their turn been unsuccessful; the English, preserving a latent zeal for their ancient liberties, were yet at the time inflamed and carried away with a passionate desire of their ancient king. The Long Parliament is

CHAP. reassembled; the Presbyterians, expelled before the  
 XI. trial of Charles, resume their seats; and the parliament is dissolved, to be succeeded by a new assembly. The king's return is at hand. They who had been its latest advocates, now endeavor to throw oblivion on their hesitancy by the excess of loyalty; men vie with one another in the display of zeal for the restoration; no one is disposed to gain the certain ill-will of the monarch by proposing conditions which might not be seconded; men forget their country in their zeal for the king; they forget liberty in their eagerness to advance their fortunes; a vague proclamation on the part of Charles II., promising a general amnesty, fidelity to the Protestant religion, regard for tender consciences, and respect for the English laws, was the only pledge from the sovereign. And now, after twenty years of storms, the light of peace dawns in the horizon. All England was in ecstasy. Groups of royalists gathered round buckets of wine in the streets, and drank the king's health on their knees. The bells in every steeple rung merry peels; the bonfires round London were so numerous and so brilliant, that the city seemed encircled with a halo;<sup>1</sup> and under a clear sky, with a favoring wind, the path of the exiled monarch homewards to the kingdom of his fathers, is serene and unruffled; as he landed on the soil of England, he was received by infinite crowds with all imaginable love. The shouting and general joy were past imagination.<sup>2</sup> On the journey from Dover to London, the hillocks all the way were covered with people; the trees were filled;<sup>3</sup> and such was the prodigality of flowers from maidens, such the acclama-

1660.  
 May  
 25.

<sup>1</sup> Pepys, i. 15. 18.    <sup>2</sup> Pepys.    <sup>3</sup> Gumble's Life of Monck, 386.

tions from throngs of men, the whole kingdom seemed gathered along the road-sides. The companies of the city received the king with loud thanks to God for his presence;<sup>1</sup> and he advanced to Whitehall through serried ranks of admiring citizens. All hearts were open; and on the evening of his arrival in the capital of his kingdom, he employed the enthusiasm of the time to debauch a beautiful woman of nineteen, the wife of one of his subjects.

CHAP.  
XI.  
1660.  
May  
29.

In the midst of the universal gladness, the triumph of the royalist party was undisputed. The arms of the commonwealth, and the emblems of republicanism, were defaced and burned with every expression of hatred and scorn. The democratic party, which Cromwell had subdued, was now politically extinct; its adherents sought obscurity among the crowd, while its leaders were obliged to hide themselves from the feverish excitement of popular anger. The melancholic inflexibility and the self-denying austerity of republicanism were out of vogue; levity and licentiousness were now in fashion. Every party that had opposed royalty, had, in the eagerness of political strife, failed to establish a government on a permanent basis. England remembered, that, under its monarchs, it had elected parliaments, enjoyed the trial by jury, and prospered in affluent tranquillity. Except in New England, royalty was now alone in favor. The republican party in England was fallen into extreme unpopularity; the democratic revolution had been an entire failure, but that, with all its faults, its wildness, and its extravagance, it set in motion the valuable ideas of popular liberty which the experience of hap-

<sup>1</sup> Clarendon, iii. 772.

CHAP. XI. pier ages was to devise ways of introducing into the political life of the nation. We shall presently see that the excessive loyalty of the moment, too precipitate in the restoration, doomed the country to an arduous struggle, and the necessity of a new revolution.

1660. The immediate effects of the restoration were saddened by the bitterness of revenge. All the regicides that were seized would have perished, but for Charles II., whom good nature led at last to exclaim, "I am tired of hanging, except for new offences." All haste was, however, made to despatch half a score of victims, as if to appease the shade of Charles I. ; and among the selected victims was Hugh Peters, once the minister of Salem, the father-in-law of the younger Winthrop ;<sup>1</sup> one whom Roger Williams honored and loved, and whom Milton is supposed to include among

" Men whose life, learning, faith, and pure intent,  
Would have been held in high esteem with Paul."

As a preacher, his homely energy resembled the eloquence of Latimer and the earlier divines ; in Salem he won general affection ; he was ever zealous to advance the interests and quicken the industry of New England, and had assisted in founding the earliest college. His was the fanaticism of an ill-balanced mind, mastered by great ideas, which it imperfectly comprehends ; and therefore he repelled monarchy and Episcopacy with excited passion. Though he was not himself a regicide, his zeal made him virtually an accomplice, by his influence over others.<sup>2</sup> He could not consider consequences, and zeal overwhelmed

<sup>1</sup> R. Williams to J. Winthrop, *ly I did ever, from my soul, honor Jr., in Knowles, 310. "You were and love them."*  
the son of two noble fathers. Sure-

<sup>2</sup> Evelyn's Memoire, ii. 3.

his judgment. Nor was he entirely free from that <sup>CHAP. XI.</sup> bigotry which refuses to extend the rights of humanity beyond its own altars;<sup>1</sup> he could thank God for the massacres of Cromwell in Ireland.<sup>2</sup> And yet benevolence was deeply fixed in his heart; he ever advocated the rights of the feeble, and pleaded for the sufferings of the poor. Of his whole career it was said, that "many godly in New England dared not condemn what Hugh Peters had done."<sup>3</sup> His arraignment, his trial, and his execution, were scenes of wanton injustice. He was allowed no counsel; and, indeed, his death had been resolved upon beforehand, though even false witnesses did not substantiate the specific charges urged against him. His last thoughts reverted to Massachusetts. "Go home to New England, and trust God there;" it was his final counsel to his daughter. At the gallows, he was compelled to wait <sup>1660.</sup> while the body of his friend Cooke, who had just been <sup>Oct.</sup> hanged, was cut down and quartered before his eyes. <sup>14.</sup> "How like you this?" cried the executioner, rubbing his bloody hands. "I thank God," replied the martyr, "I am not terrified at it; you may do your worst." To his friends he said, "Weep not for me; my heart is full of comfort;" and he smiled as he made himself ready to leave the world. Even death could not save him from his enemies; the bias of party corrupts the judgment, and cruelty justified itself by defaming its victim.<sup>4</sup> So perished a freeman of Massachusetts;

<sup>1</sup> Trial of Anne Hutchinson.

<sup>2</sup> Whitelocke, 428. "Drogheda is taken, 3552 of the enemy slain. Ashton killed; none spared. I came now from giving thanks in the great church."

<sup>3</sup> Crown, in Chalmers, 264.

<sup>4</sup> The story that he died drunk, is

a foolish calumny, reflecting discredit only on those who could propagate it. Charles I. drank wine before his execution, for fear of trembling. South is extravagant. Burnet, i. 226, could have heard only the accounts of his enemies, which were caricatures.

CHAP. the first who lost his life for opposition to monarchy.  
 XI. The blood of Massachusetts was destined to flow freely  
 on the field of battle for the same cause; the streams  
 were first opened beneath the gallows.<sup>1</sup>

1660. The regicides, who had at nearly the same time been  
 Oct. condemned to death, did not abate their confidence in  
 their cause. Alone against a nation, pride of character  
 blended with religious fervor and political enthusiasm.  
 Death under the horrid forms which a barbarous age  
 had devised, and a barbarous jurisprudence still toler-  
 ated, they could meet with serenity, or with exultation.  
 The voice within their breasts still approved what they  
 had done; a better world seemed opening to receive  
 them; and, as they ascended the scaffold, their un-  
 daunted composure and lofty resignation seemed to  
 call on earth and heaven to witness how unjustly they  
 suffered.

But it was not enough to punish the living; ven-  
 geance invaded the tombs. The corpses of Cromwell,  
 Bradshaw, and Ireton, were, by the order of both  
 houses of parliament, and with the approbation of the  
 king, disinterred, dragged on hurdles to Tyburn, and  
 regularly hanged at the three corners of the gallows.  
 In the evening, the same bodies were cut down and  
 beheaded, amidst the exulting merriment of the Cava-  
 liers. Such is revenge!

Of the judges of King Charles I., three escaped to  
 America. Edward Whalley, who had first won laurels  
 in the field of Naseby, had ever enjoyed the confidence  
 of Cromwell, and remained to the last an enemy to the

<sup>1</sup> See a favorable view of Peters in Upham's Second Century Lec-  
 ture at Salem, 13—27, and Post-  
 script. So, too, Felt's Annals of  
 Salem, 132—151. Bentley, in Mass.  
 Hist. Coll. vi. 250—254. London  
 Monthly Repository, xiv. 525 and  
 602. Opposite opinions in nearly  
 all the royalist writers.

Stuarts, and a friend to the interests of the Independents,—and William Goffe, a firm friend to the family of Cromwell,<sup>1</sup> a good soldier, and an ardent partisan, but ignorant of the true principles of freedom,—arrived in Boston, where Endicot, the governor, received them with courtesy. For nearly a year, they resided unmolested within the limits of Massachusetts, holding meetings in every house, where they preached and prayed, and gained universal applause. When war-rants arrived from England for their apprehension, they fled across the country to New Haven, where it was esteemed a crime against God to bewray the wanderer or give up the outcast. Yet such diligent search was made for them, that they never were in security. For a time they removed in secrecy from house to house; sometimes concealed themselves in a mill, sometimes in clefts of the rocks by the seaside; and for weeks together, and even for months, they dwelt in a cave in the forest. Great rewards were offered for their apprehension; Indians as well as English were urged to scour the woods in quest of their hiding-place, as men hunt for the holes of foxes. When the zeal of the search was nearly over, they retired to a little village on the Sound; till at last they escaped by night to an appointed place of refuge in Hadley, and the solitudes of the most beautiful valley of New England gave shelter to their wearisome and repining age.<sup>2</sup>

John Dixwell was more fortunate. He was able to live undiscovered, and, changing his name, was ab-

CHAP.  
XI.  
1660.  
July  
27.

June  
24  
to  
Aug.  
19.

<sup>1</sup> Burton's Diary, i. 361.

<sup>2</sup> Stiles, in c. iii. of his History of Three of the Judges of Charles I., has collected the materials on this subject. Papers relating to it

may be found in the Dutch records. What need of referring to Hutch. Hist. vol. i., to the papers in Hutch. Coll., to Crown's deposition, in Chalmers, 263, 264?



CHAP. sorbed among the inhabitants of New Haven. He  
 XI. married, and lived peacefully and happily. The His-  
 tory of the World, which Raleigh had written in im-  
 prisonment, with the sentence of death hanging over  
 his head, was the favorite study of the man whom the  
 laws of England had condemned to the gallows ; and  
 he ever retained a firm belief that the spirit of English  
 liberty would demand a new revolution, which was  
 achieved in England a few months before his end, and  
 of which the earliest rumors may have reached his  
 death-bed.<sup>1</sup>

Three of the regicides, who had escaped to Holland,  
 found themselves, in the territory of a free and inde-  
 pendent state,<sup>2</sup> less securely sheltered than their col-  
 leagues in the secret places of a dependent colony.  
 1662. They were apprehended in Holland, surrendered by  
 April 19. the states, and executed in England.

Retributive justice, thought many, required the  
 execution of regicides. One victim was selected for  
 his genius and integrity ; such was the terror inspired  
 by their influence. Now that all England was carried  
 away with eagerness for monarchy, Sir Henry Vane,  
 the former governor of Massachusetts, the benefactor  
 of Rhode Island, the ever-faithful friend of New Eng-  
 land, adhered with undaunted firmness to "the glorious  
 cause" of popular liberty ; and, shunned by every man  
 who courted the returning monarch, he became noted  
 for the most "catholic" unpopularity.<sup>3</sup> He fell from  
 the affections of the English people, when the English  
 people fell from the jealous care of their liberties. He

<sup>1</sup> Dixwell died March 18, 1689, 150, 4to. ed., is very unfavorable to  
 aged 81. De Witt.

<sup>2</sup> The story in Pepys, ii. 149, <sup>3</sup> Maidston to Winthrop.

had ever been incorrupt and disinterested, merciful and liberal. When Unitarianism was persecuted, not as a sect, but as a blasphemy, Vane interceded for its advocate;<sup>1</sup> he pleaded for the liberty of Quakers imprisoned for their opinions;<sup>2</sup> as a legislator, he demanded justice in behalf of the Roman Catholics; he resisted the sale of Penruddoc's men into slavery, as an aggression on the rights of man. The immense emoluments of his office as treasurer of the navy he voluntarily resigned.<sup>3</sup> When the Presbyterians, though his adversaries, were forcibly excluded from the house of commons, he also absented himself.<sup>4</sup> When the monarchy was overthrown, and a commonwealth attempted, Vane reluctantly filled a seat in the council; and, resuming his place as a legislator, amidst the floating wrecks of the English constitution, he clung to the existing parliament as to the only fragment on which it was possible to rescue English liberty. His energy gave to the English navy its efficient organization; if England could cope with Holland on the sea, the glory of preparation is Vane's. His labors in that remnant of a parliament were immediately turned to the purification of liberty in its sources; and he is believed to have anticipated every great principle of the modern reform bill. He steadily resisted the usurpation of Cromwell; as he had a right to esteem the sorrows of his country his private sorrows, he declared it "no small grief, that the evil and wretched principles of absolute monarchy should be revived by men professing godliness;" and Cromwell, unable to intimidate him, confined him to Carisbrook Castle.

<sup>1</sup> Godwin, iii. 511.

<sup>2</sup> Sewall, 191.

<sup>3</sup> Macauley, v. 99.

<sup>4</sup> See Vane's Speeches, in Burton.

CHAP. Both Cromwell and Vane were unsuccessful states-  
 XI. men ; the first desired to secure the government of  
 England to his family ; the other, to vindicate it for  
 the people.

1662. The convention parliament had excepted Vane from  
 June. the indemnity, on the king's promise that he should not  
 suffer death. It was now resolved to bring him to  
 trial ; and he turned his trial into a triumph. Though  
 " before supposed to be a timorous man,"<sup>1</sup> he appeared  
 before his judges with animated fearlessness. Instead  
 of offering apologies for his career, he denied the  
 imputation of treason with settled scorn, defended the  
 right of Englishmen to be governed by successive  
 representatives, and took glory to himself for actions  
 which promoted the good of England, and were sanc-  
 tioned by parliament as the virtual sovereign of the  
 realm. He spoke not for his life and estate, but for  
 the honor of the martyrs to liberty that were in their  
 graves, for the liberties of England, for the interest  
 " of all posterity in time to come." He had asked for  
 counsel. " Who," cried the solicitor, " will dare to  
 speak for you, unless you can call down from the gib-  
 bet the heads of your fellow-traitors ? " " I stand  
 single," said Vane ; " yet, being thus left alone, I am  
 not afraid, in this great presence, to bear my witness to  
 the glorious cause, nor to seal it with my blood." Such  
 true magnanimity stimulated the vengeance of his  
 enemies ; " they clamored for his life." " Certain-  
 ly," wrote the king, " Sir Henry Vane is too dangerous  
 a man to let live, if we can honestly put him out of the  
 way."<sup>2</sup> It was found he could not honestly be put  
 out of the way ; but still, the solicitor urged, " he must

<sup>1</sup> Calamy's Abridgment, 99, 100. a very fearful man." Hume, c. lxiii.  
 Burnet, i. 228. " He was naturally <sup>2</sup> The letter, in Hallam, ii. 443.

be made a sacrifice." "We know what to do with him," said the king's counsel.<sup>1</sup>

CHAP.  
XI.

1662.  
June.

The day before his execution, his friends were admitted to his prison ; and he cheered their drooping spirits by his own serene intrepidity, reasoning calmly on death and immortality. He reviewed his political career, from the day when he defended Anne Hutchinson, to his last struggle for English liberties, and could say, "I have not the least recoil in my heart as to matter or manner of what I have done." A friend spoke of prayer, that for the present the cup of death might be averted. "Why should we fear death?" answered Vane ; "I find it rather shrinks from me, than I from it." His children gathered round him, and he stooped to embrace them, mingling consolation with kisses. "The Lord will be a better father to you." "Be not you troubled, for I am going home to my Father." And his farewell counsel was, "Suffer any thing from men rather than sin against God." When his family had withdrawn, he declared his life to be willingly offered to confirm the wavering, and convince the ignorant. The cause of popular liberty still seemed to him a glorious cause. "I leave my life as a seal to the justness of that quarrel. Ten thousand deaths, rather than defile the chastity of my conscience ; nor would I, for ten thousand worlds, resign the peace and satisfaction I have in my heart."

The plebeian Hugh Peters had been hanged ; Sir Henry Vane was to suffer on the block. The same cheerful resignation animated him on the day of his execution. As the procession moved through the streets, men from the windows and tops of houses

<sup>1</sup> Trial of Sir Henry Vane, 73. 55.

CHAP. expressed their sorrow, pouring out prayers for him as  
 XI. he passed by ; and the people shouted aloud, "God go  
 1662. with you." Arrived on the scaffold, he was observable  
 June above all others by the intrepidity of his demeanor.  
 14. Surveying the vast surrounding multitude with composure, he addressed them, and sought to awaken in their souls the love of English liberty. His voice was overpowered with trumpets ; finding he could not bear an audible testimony to his principles, he was not in the least disconcerted by the rudeness, but, in the serenity of his manner, continued to show with what calmness an honest patriot could die. With unbroken trust in Providence, he believed in the progress of civilization ; and while he reminded those around him, that "he had foretold the dark clouds which were coming thicker and thicker for a season," it was still "most clear to the eye of his faith," that a better day would dawn in the clouds. "Blessed be God," exclaimed he, as he bared his neck for the axe, "I have kept a conscience void of offence to this day, and have not deserted the righteous cause for which I suffer." That righteous cause was democratic liberty ; in the history of the world, he was the first martyr to the principle of the paramount power of the people ; and, as he had predicted, "his blood gained a voice to speak his innocence." The manner of his death was the admiration of his times.

Puritanism, with the sects to which it gave birth, ceased to sway the destinies of England. The army of Cromwell had displayed its power in the field ; Milton, having shown the eloquence it could inspire, still lived to illustrate what poetry it could create, in works that are counted among the noblest productions of the human mind ; Vane proved how fearlessly it could bear testimony for liberty in the face of death ;

New England is the monument of its power to establish free states. The ancient institutions of England CHAP.  
XI. would not yield to new popular establishments; but the bloom of immortality belongs to the example of Vane, to the poetry of Milton, and, let us hope, to the institutions of New England.

To New England, the revolutions in the mother country were not indifferent; the American colonies attracted the notice of the courts of justice in Westminster Hall. They were held, alike by the nature of the English constitution, and the principles of the common law, to be subordinate to the English parliament, and bound by its acts, whenever they were specially named in a statute, or were clearly embraced within its provisions. An issue was thus made between Massachusetts and England, for that colony had, as we have seen, refused to be subject to the laws of parliament, and had remonstrated against such subjection, as "the loss of English liberty." The Long Parliament had conceded the justice of the remonstrance. The judges, on the restoration, decreed otherwise, and asserted the legislative supremacy of parliament over the colonies without restriction. Such was the established common law of England.<sup>1</sup>

Immediately on the restoration of Charles II., the 1660 convention parliament<sup>2</sup> granted to the monarch a subsidy of twelve pence in the pound, that is, of five per cent., on all merchandise exported from, or imported into, the kingdom of England, or "any of his majesty's dominions thereto belonging."<sup>3</sup> Doubts arising, not

<sup>1</sup> Freeman's Reports, 175; Modern Reports, iii. 159, 160; Vaughan's Reports, 170. 400; Modern Reports, iv. 225; Blackstone's Commentaries, i. 106—109.

<sup>2</sup> 12 Charles II. c. iv.

<sup>3</sup> Same expression in 2 Anne, c. ix.; 3 Anne, c. v.; and in 21 George II. c. ii. The expression does not include the colonies.

CHAP. whether the power of parliament was co-extensive with  
 XI. the English empire, but what territories the terms of  
 1660. the act included, they were interpreted to exclude "the dominions not of the crown of England."<sup>1</sup> The tax was, also, never levied in the colonies; nor was it understood that the colonies were bound by a statute, unless they were expressly named.<sup>2</sup>

That distinctness was not wanting, when it was required by the interests of English merchants. The Navigation Act of the commonwealth had not been designed to trammel the commerce of the colonies; the convention parliament, the same body which betrayed the liberties of England, by restoring the Stuarts without conditions, now, by the most memorable statute<sup>3</sup> in the English maritime code, connected in one act the protection of English shipping, and a monopoly to the English merchant of the trade with the colonies. In the reign of Richard II.,<sup>4</sup> the commerce of English ports had been secured to English shipping: the act of navigation of 1651 had done no more; and against it the colonists made no serious objection. The present act renewed the same provisions, and further avowed the design of sacrificing the natural rights of the colonists to English interests. "No merchandise shall be imported into the plantations but in English vessels, navigated by Englishmen, under penalty of forfeiture." The harbors of the colonies were shut against the Dutch, and every foreign vessel.—America, as the asylum of the oppressed, invited emigrants from the most varied climes. It was now enacted, that none but native or naturalized subjects should become a mer-

<sup>1</sup> Vaughan's Reports, 170. Compare Tyrwhit and Tyndale's Digest, xiii.—xv. Chalmers, p. 241, is not sustained in his inference.

<sup>2</sup> Blackstone, 1. 107, 108; Chitty on Prerogative, 33.

<sup>3</sup> 12 Charles II. c. xviii.

<sup>4</sup> 5 Richard II. c. iii.

chant or factor in any English settlement; excluding the colonists from the benefits of a foreign competition. CHAP.  
XI.

American industry produced articles for exportation; 1660. but these articles were of two kinds. Some were produced in quantities only in America, and would not compete in the English market with English productions. These were enumerated, and it was declared that none of them, that is, no sugar, tobacco, ginger, indigo, cotton, fustic, dyeing woods, shall be transported to any other country than those belonging to the crown of England, under penalty of forfeiture; and as new articles of industry of this class grew up in America, they were added to the list. But such other commodities as the English merchant might not find convenient to buy, the American planter might ship to foreign markets; the farther off the better;<sup>1</sup> because they would thus interfere less with the trades which were carried on in England. The colonists were, therefore, by a clause in the navigation act, confined to ports south of Cape Finisterre.

Hardly had time enough elapsed for a voyage or two across the Atlantic, before it was found that the English merchant might derive still further advantages at the cost of the colonists, by the imposition of still further restraints. A new law<sup>2</sup> prohibited the importation of European commodities into the colonies, except in English ships from England, to the end that England might be made the staple, not only of colonial productions, but of colonial supplies. Thus the colonists were compelled to buy in England, not only all English manufactures, but every thing else that they might need from any soil but their own. 1663.

<sup>1</sup> Compare Adam Smith, b. iv. c. vii. p. iii.

<sup>2</sup> 15 Car. II. c. vii.



CHAP. The activity of the shipping of New England, which  
 XI. should only have excited admiration, excited envy in the minds of the English merchants. The produce of the plantations of the southern colonies was brought to New England, as a result of the little colonial exchanges. To the extravagant fears of mercantile avarice, New England was become a staple.<sup>1</sup> Parlia-  
 1672. ment,<sup>2</sup> therefore, resolved to exclude New England merchants from competing with the English, in the markets of the southern plantations; the liberty of free traffic between the colonies was accordingly taken away; and any of the enumerated commodities exported from one colony to another, were subjected to a duty equivalent to the duty on the consumption of these commodities in England.

By degrees, the avarice of English shopkeepers became bolder; and America was forbidden, by act of parliament, not merely to manufacture those articles which might compete with the English in foreign markets, but even to supply herself, by her own industry, with those articles which her position enabled her to manufacture with success for her own wants.<sup>3</sup>

Thus was the policy of Great Britain, with respect to her colonies, a system of monopoly, adopted after the example of Spain, and, for more than a century, inflexibly pursued, in no less than twenty-nine acts of parliament. The colonists were allowed to sell to foreigners only what England would not take; that so they might gain means to pay for the articles forced upon them by England. The commercial liberties of rising states were shackled by paper chains, and the

<sup>1</sup> Chalmers, 262. See Hutch. Coll. 422.

<sup>3</sup> For example, 5 Geo. II. c. xxii. § 7; and 23 Geo. II. c. xxix.

<sup>2</sup> 25 Car. II. c. vii.

principles of natural justice subjected to the fears and the covetousness of English shopkeepers.<sup>1</sup> CHAP.  
XI.

The effects of this system were baleful to the colonies. They could buy European and all foreign commodities only at the shops of the metropolis; and thus the merchant of the mother country could sell his goods for a little more than they were worth. England gained at the expense of America. The profit of the one was balanced by the loss of the other.

In the sale of their products the colonists were equally injured. The English, being the sole purchasers, could obtain those products at a little less than their fair value. The merchant of Bristol or London was made richer; the planter of Virginia or Maryland was made poorer. No new value was created; one lost what the other gained; and both parties had equal claims to the benevolence of the legislature.<sup>2</sup>

Thus the colonists were wronged, both in their purchases and in their sales; the law "cut them with a double edge." The English consumer gained nothing; for the surplus colonial produce was reexported to other nations. The English merchant, and not the English people, profited by the injustice. The English people were sufferers. Not that the undue employment of wealth in the colonial trade occasioned an injurious scarcity in other branches of industry; for the increased productiveness of capital soon yielded a larger supply than ever for all kinds of business; just as a fortune doubles rapidly at a high rate of interest. But the navigation act involved the foreign policy of England in contradictions; she was herself a monopolist of her own colonial trade, and yet steadily aimed

<sup>1</sup> Burke.

<sup>2</sup> Say, ii. 288, 289.

CHAP. at enfranchising the trade of the Spanish settlements.

XI  
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Hence arose a set of relations which we shall find pregnant with consequences.

In the domestic policy of England, the act increased the tendency to unequal legislation. The English merchant having become the sole factor for American colonies, and the manufacturer claiming to supply colonial wants, the English landholder consented to uphold the artificial system only by sharing in its emoluments; and corn-laws began to be enacted, in order to secure the profits of capital, applied to agriculture, against the dangers of foreign competition. Thus the system which impoverished the Virginia planter, by lowering the price of his tobacco crop, oppressed the English laborer, by raising the price of his bread;<sup>1</sup> till at last a whig ministry<sup>2</sup> could offer a bounty on the exportation of corn.

The law was still more injurious to England, from its influence on the connection between the colonies and the metropolis. Durable relations in society are correlative, and reciprocally beneficial. In this case, the statute was made by one party to bind the other, and was made on iniquitous principles. Established as the law of the strongest, it could endure no longer than the superiority in force. It converted commerce, which should be the bond of peace, into a source of rankling hostility, and scattered the certain seeds of a civil war. The navigation act contained a pledge of the ultimate independence of America.

To the colonists, the navigation act was, at the time, an unmitigated evil; for the prohibition<sup>3</sup> of plant-

<sup>1</sup> 22 Car. II. c. xiii.

<sup>2</sup> 1 William and Mary.

<sup>3</sup> 12 Car. II. c. xxxiv. Comp. Chalmers, 243.

ing tobacco in England and Ireland, was a useless mockery. CHAP.  
XI.

As a mode of taxing the colonies, the monopoly was a failure ; the contribution was made to the pocket of the merchant, not to the treasury of the metropolis.

The usual excuse for colonial restrictions is founded on the principle that colonies were established at the cost of the mother country for that very purpose.<sup>1</sup> In the case of the American colonies, the apology cannot be urged. The state founded none of them. The colonists escaped from the mother country, and had, at their own cost, and by their own toil, made for themselves dwellings in the New World. Virginia was founded by a private company ; New England was the home of exiles. England first thrust them out ; and she owned them as her children only to oppress them !

Again, it was said that the commercial losses of the colonists were compensated by protection. But the connection with Europe was fraught only with danger ; for the rivalry of European nations did but transfer the scenes of their bloody feuds to the wilds of America.

The monopoly, it must be allowed, was of the least injurious kind. It was conceded, not to an individual, nor to a company, nor to a single city ; but was open to the competition of all Englishmen.<sup>2</sup>

The history of the navigation act would be incomplete, were it not added, that, whatever party obtained a majority, it never, till the colonies gained great strength, occurred to the British parliament that the legislation was a wrong. Bigotry is not exclusively a passion of religious superstition. Its root is in the

<sup>1</sup> Montesquieu, l. xxi, c. xxi.

<sup>2</sup> 6 Anne, c. xxxvii.

CHAP. human heart, and it is reproduced in every age.  
 XI. Blinding the intellectual eye, and comprehending no passion but its own, it is the passionate and partial defence of an existing interest. The Antonines of Rome, or, not to go beyond English history, Elizabeth and Charles I., did not question the divine right of absolute power. "Were Nero in power," said Cromwell himself, when protector, "it would be a duty to submit." When Laud was arraigned, "Can any one believe me a traitor?" exclaimed the astonished prelate, with real surprise. The Cavaliers, in the civil war, did not doubt the sanctity of the privileges of birth; and now the English parliament, as the instrument of mercantile avarice, had no scruple in commencing the legislation, which, when the colonists grew powerful, was, by the greatest British economist, declared to be "a manifest violation of the rights of mankind."<sup>1</sup>

Such was the disposition of the English parliament towards the colonies: the changes in their internal constitutions were to depend on the personal character of the monarch whom England had taken into favor.

The tall and swarthy grandson of Henry IV. of France, was naturally possessed of a disposition which, had he preserved purity of morals, had made him one of the most amiable of men. It was his misfortune, in very early life, to have become thoroughly debauched in mind and heart; and adversity, usually the rugged nurse of virtue, made the selfish libertine but the more reckless in his profligacy. He did not merely indulge his passions; his neck bowed to the yoke of lewdness. He was attached to women, not from love, for he had no jealousy, and was regardless of infidelities; nor

<sup>1</sup> Smith's Wealth of Nations.

entirely from debauch, but from the pleasure of living CHAP.  
XI. near them, and sauntering in their company. His delight—such is the record of the royalist Evelyn—was in “concubines, and cattle of that sort;” and up to the last week of his life, he spent his time in dissoluteness, toying with his mistresses, and listening to love-songs.<sup>1</sup> If decision ever broke through his abject vices, it was but a momentary flash; a life of pleasure sapped his moral courage, and left him imbecile, fit only to be the tool of courtiers, and the dupe of mistresses. Did the English commons impeach Clarendon? Charles II. could think of nothing but how to get the duchess of Richmond to court again. Was the Dutch war signalized by disasters? “the king did still follow his women as much as ever;” and took more pains to reconcile the chambermaids of Lady Castlemaine, or make friends of the rival beauties of his court, than to save his kingdom. He was “governed by his lust, and the women, and the rogues about him.”

The natural abilities of Charles II. were probably overrated. He was incapable of a strong purpose or steady application. He read imperfectly and ill.<sup>2</sup> When drunk, he was a silly, good-natured, subservient fool.<sup>3</sup> In the council of state, he played with his dog, never minding the business, or making a speech, memorable only for its silliness; <sup>4</sup> and if he visited the naval magazines, “his talk was equally idle and frothy.”<sup>5</sup>

The best trait in his character was his natural kindness. Yet his benevolence was in part a weakness; his bounty was that of facility; and his placable temper, incapable of strong revenge, was equally incapable

<sup>1</sup> Evelyn.<sup>2</sup> Pepys, i. 243.<sup>3</sup> Pepys, ii. 130.<sup>4</sup> Ibid. ii. 123. 130.<sup>5</sup> Pepys, i. 243.

CHAP. of affection. He so loved his present tranquillity, that  
 XI. he signed the death-warrants of innocent men, rather than risk disquiet ; but of himself he was merciful, and was reluctant to hang any but republicans. His love of placid enjoyments and of ease continued to the end. On the last morning of his life, he bade his attendants open the curtains of his bed, and the windows of his bed-chamber, that he might once more see the sun.<sup>1</sup> He desired absolution ; “ For God’s sake, send for a Catholic priest ; ” but checked himself, adding, “ it may expose the duke of York to danger.”<sup>2</sup> He pardoned all his enemies, no doubt sincerely. The queen sent to beg forgiveness for any offences. “ Alas, poor woman, she beg my pardon ! ” he replied ; “ I beg hers with all my heart ; take back to her that answer.”<sup>3</sup> He expressed some regard for his brother, his children, his mistresses. “ Do not leave poor Nelly Gwyn to starve,” was almost his last commission.<sup>4</sup>

Such was the lewd king of England, on whose favor depended the liberties of the New England colonies, where lewdness was held a crime, and adultery inexorably punished by death on the gallows.

1660. Massachusetts, strong in its charter, made no haste to present itself in England as a suppliant. “ The colony of Boston,” wrote Stuyvesant,<sup>5</sup> “ remains constant to its old maxims of a free state, dependent on none but God.” Had the king resolved on sending them a governor, the several towns and churches throughout the whole country were resolved to oppose him.<sup>6</sup>

<sup>1</sup> Barillon, in Dalrymple, App. to p. i. b. i. Compare James’ II. Memoirs, i. 746 ; Evelyn, iii. 130, 131.

<sup>2</sup> James’ II. Memoirs, i. 747.

<sup>3</sup> Dalrymple, book i. p. 66.

<sup>4</sup> Burnet, ii. 284. So, too, Evelyn, iii. 132.

<sup>5</sup> Albany Records, xviii. 124. Oct. 6. 1660.

<sup>6</sup> Hutch. Coll. 339 ; Belknap, 437.

The colonies of Plymouth, of Hartford and New Haven, not less than of Rhode Island, proclaimed the new king, and acted in his name;<sup>1</sup> and the rising republic on the Connecticut appeared in London by its representative, the younger Winthrop, who went, as it were, between the mangled limbs of his father-in-law, to ensure the welfare of his fellow-exiles in the west. They had purchased their lands of the assigns of the earl of Warwick, and from Uncas they had bought the territory of the Mohegans; and the news of the restoration awakened a desire for a patent. But the little colony proceeded warily; they draughted among themselves the instrument which they desired the king to ratify; and they could plead for their possessions their rights by purchase, by conquest from the Pequods, and by their own labor, which had redeemed the wilderness. A letter was also addressed from Connecticut to the aged Lord Say and Seal,<sup>2</sup> the early friend of the emigrants, and now, on the restoration, while it was yet the royal policy to conciliate the Presbyterians, a favored officer of the crown. By the memory of past benefits, and the promise of grateful regard, they request his influence to obtain for them a guaranty for their liberties.

The venerable man, too aged for active exertion, secured for his clients the kind offices of the lord chamberlain, the earl of Manchester, a man "of an obliging temper, universally beloved, being of a virtuous and generous mind."<sup>3</sup> "Indeed he was a noble and a worthy lord, and one that loved the godly." "He

<sup>1</sup> Quantum mutatus ab illo Hectore, adds Stuyvesant, who was very fond of a Latin quotation. There was, however, no change in the political principles of New England,

which never was regicide. Albany Records, xviii. 123.

<sup>2</sup> See Trumbull, i. App. vii. viii. ix.

<sup>3</sup> Burnet, i. 134.



CHAP. and Lord Say did join together, that their godly friends  
 XI. in New England might enjoy their just rights and  
 1661. liberties."

But the chief happiness of Connecticut was in the selection of its agent. In the younger Winthrop, the qualities of human excellence were mingled in such happy proportions, that, while he always wore an air of contentment, no enterprise in which he engaged seemed too lofty for his genius. Even as a child, he had been the pride of his father's house; he had received the best instruction which Cambridge and Dublin could afford; and had perfected his education by visiting, in part at least, in the public service, not Holland and France only, in the days of Prince Maurice and Richelieu, but Venice and Constantinople.<sup>1</sup> From boyhood his manners had been spotless; and the purity of his soul added lustre and beauty to the gifts of nature and industry;<sup>2</sup> as he travelled through Europe, he sought the society of men eminent for learning. Returning to England in the bloom of life, with every promise of preferment which genius, gentleness of temper, and influence at court, could inspire, he preferred to follow his father to the new world; regarding "diversities of countries but as so many inns," alike conducting to "the journey's end."<sup>3</sup> When his father, the father of Massachusetts, became impoverished by his expenses in planting the colony, the pious son, unsolicited and without recompense, relinquished his large inheritance, that "it might be spent in furthering the great work"<sup>4</sup> in Massachusetts; himself, single-handed and without wealth, engaging in the enterprise

<sup>1</sup> Winthrop, i. 348 and 354; Mather, b. ii. c. xi.

<sup>2</sup> Winthrop, i. 341.

<sup>3</sup> His letter, in Winthrop, i. 359.

<sup>4</sup> Mather, b. ii. c. xi.; Winthrop's will, in Winthrop, ii. 360.

of planting Connecticut. Care for posterity seemed the motive to his actions.<sup>1</sup> His vast and elevated mind had, moreover, that largeness, that he respected learning, and virtue, and genius, in whatever sect they might be found. No narrow bigotry limited his affections or his esteem; and when Quakers had become the objects of persecution, he was earnest and unremitting in argument and entreaty, to prevent the effusion of blood.<sup>2</sup> Master over his own mind, he never regretted the brilliant prospects he had resigned, nor complained of the comparative solitude of New London; a large library<sup>3</sup> furnished employment to his mind; the study of nature, according to the principles of the philosophy of Bacon, was his delight; for "he had a gift in understanding and art;" and his home was endeared by a happy marriage, and "many sweet children." His knowledge of human nature was as remarkable as his virtues. He never attempted impracticable things; but, understanding the springs of action, and the principles that control affairs, he calmly and noiselessly succeeded in all that he undertook. The New World was full of his praises; Puritans, and Quakers, and the freemen of Rhode Island,<sup>4</sup> were alike his eulogists; the Dutch at New York, not less than all New England, had confidence in his integrity;<sup>5</sup> Clarendon<sup>6</sup> and Milton, Newton and Robert Boyle,<sup>7</sup> became his correspondents. If he had faults, they are

CHAP.  
XI.

1661.

<sup>1</sup> "And zealous care for their posterity, Of all his acts, the primum mobile." Wolcott.

<sup>2</sup> Bishop's N. E. Judged. "Did not John Winthrop, the Governor of the jurisdiction of Connecticut, labor with you, that ye would not put them to death? And did he not say unto you, that he would beg it of you on his bare knees, that ye would not do it?" p. 157.

<sup>3</sup> Winthrop, ii. 20.

<sup>4</sup> Roger Williams's Letters, in Knowles.

<sup>5</sup> Albany Records, iv. 405, and xviii. 188, 189.

<sup>6</sup> MSS. in my possession.

<sup>7</sup> "Mr. Winthrop, my particular acquaintance." R. Boyle's letter, in Mass. Hist. Coll. xviii. 49. Dedication of vol. xl. of the Transactions of the Royal Society.

CHAP. forgotten. In history he appears by unanimous testi-  
 XI. mony,<sup>1</sup> from early life, without a blemish ; and it is

1661. the beautiful testimony of his own father, that " God gave him favor in the eyes of all with whom he had to do." In his interview with Charles II., there is reason to believe, he was able to inspire that naturally benevolent monarch with curiosity ; perhaps he amused him with accounts of Indian warfare, and descriptions of the marvels of a virgin world. A favorable recollection of Charles I., who had been a friend to his father's father, and who gave to his family an hereditary claim on the Stuarts, was effectually revived. His personal merits, sympathy for his family, his exertions, the petition of the colony, and, as I believe, the real good will of Clarendon,—for we must not reject all faith in generous feeling,—easily prevailed to obtain for Connecticut an ample patent. The courtiers of King Charles, who themselves had an eye to possessions in America, suggested no limitations ; and perhaps it was believed, that Connecticut would serve to balance the power of Massachusetts.

1662.  
 April  
 20.

The charter, disregarding the hesitancy of New Haven, the rights of the colony of New Belgium, and the claims of Spain on the Pacific, connected New Haven with Hartford in one colony, of which the limits were extended from the Narragansett River to the Pacific Ocean. How strange is the connection of events ! Winthrop not only secured to his state a peaceful century of colonial existence, but prepared the claim for western lands. Under his wise direction, the careless benevolence of Charles II. provided in advance the school fund of Connecticut.

<sup>1</sup> Thurloe, i. 763 ; " a person of signal worth, as all reports present."

With regard to powers of government, the charter <sup>CHAP. XI.</sup> was still more extraordinary. It conferred on the colonists unqualified power to govern themselves. <sup>1662.</sup> They were allowed to elect all their own officers, to enact their own laws, to administer justice without appeals to England, to inflict punishments, to confer pardons, and, in a word, to exercise every power, deliberative and active. The king, far from reserving a negative on the acts of the colony, did not even require that the laws should be transmitted for his inspection; and no provision was made for the interference of the English government in any event whatever. Connecticut was independent except in name. Charles II. and Clarendon thought they had created a close corporation, and they had really sanctioned a democracy. To the younger Winthrop, probably because he had preserved a loyal spirit in Connecticut, Charles II. had written, "the world shall take notice of the sense I have of your kindness, and how great an instrument you have been in promoting the happiness of your country;"<sup>1</sup> and the disinterested man asked favors only for the community of which he was a member.

After his successful negotiations, and efficient concert in founding the Royal Society, Winthrop returned to America, bringing with him a name which England honored, and which his country should never forget, and resumed his tranquil life in rural retirement. The amalgamation of the two colonies could not be effected without collision; and New Haven had been unwilling

<sup>1</sup> MS. letter in my possession. Savage has printed and remarked on the letter, in a note on Winthrop, i. 126. Compare Maidston to Winthrop, in *Thurloe*, i. 763; and better in *Mass. Hist. Coll.* xxi. 185. The letter was communicated to me by T. L. Winthrop of Boston, as addressed to the younger Winthrop.

CHAP. to merge itself in the larger colony; the wise modera-  
 XI. tion of Winthrop was able to reconcile the jarrings,  
 and blend the interests of the united colonies. The  
 universal approbation of Connecticut followed him  
 1662 throughout all the remainder of his life; for twice  
 to  
 1676. seven years he continued to be annually elected to the  
 office of her chief magistrate.<sup>1</sup>

And the gratitude of Connecticut was reasonable. The charter which Winthrop had obtained secured to her an existence of tranquillity which could not be surpassed. Civil freedom was safe under the shelter of masculine morality; and beggary and crime could not thrive in the midst of severest manners. From the first, the minds of the yeomanry were kept active by the constant exercise of the elective franchise; and, except under James II., there was no such thing in the land as an officer appointed by the English king. Connecticut, from the first, possessed unmixed popular liberty. The government was in honest and upright hands; the little strifes of rivalry never became heated; the magistrates were sometimes persons of no ordinary endowments; but though gifts of learning and genius were valued, the state was content with virtue and single-mindedness; and the public welfare never suffered at the hands of plain men. Roger Williams had ever been a welcome guest at Hartford; and "that heavenly man, John Haynes," would say to him, "I think, Mr. Williams, I must now confesse to you, that the most wise God hath provided and cut out this part of the world as a refuge and receptacle for all sorts of consciences."<sup>2</sup> There never existed a persecuting

<sup>1</sup> Compare further on the younger Roger Wolcott, in *Mass. Hist. Coll.* Winthrop, Savage, in Winthrop, i. iv. 262—298.  
 64, and 126; Eliot's *Biog. Dict.*; <sup>2</sup> *Mass. Hist. Coll.* i. 280.

spirit<sup>1</sup> in Connecticut; while "it had a scholar to their minister in every town or village." Education was CHAP.  
XI. cherished; religious knowledge was carried to the highest degree of refinement, alike in its application to moral duties, and to the mysterious questions on the nature of God, of liberty, and of the soul. A hardy race multiplied along the alluvion of the streams, and subdued the more rocky and less inviting fields; its population for a century doubled once in twenty years, in spite of considerable emigration; and if, as has often been said, the ratio of the increase of population is the surest criterion of public happiness, Connecticut was long the happiest state in the world.<sup>2</sup> Religion united with the pursuits of agriculture, to give to the land the aspect of salubrity. The domestic wars were discussions of knotty points in theology; the concerns of the parish, the merits of the minister, were the weightiest affairs; and a church reproof the heaviest calamity. The strifes of the parent country, though they sometimes occasioned a levy among the sons of the husbandmen, yet never brought an enemy within their borders; tranquillity was within their gates, and the peace of God within their hearts. No fears of midnight ruffians could disturb the sweetness of slumber; the best house required no fastening but a latch, lifted by a string; bolts and locks were unknown.

There was nothing morose in the Connecticut character. It was temperate industry enjoying the abundance which it had created. No great inequalities of condition excited envy, or raised political feuds;

<sup>1</sup> So Douglas, ii. 135. "I never heard of any persecuting spirit in Connecticut; in this they are egregiously aspersed."

<sup>2</sup> Trumbull, i. 451, gives the number of inhabitants at 17,000, in 1713. There were, probably, as many as 17,000, and more, in 1688.

CHAP. <sup>XI</sup>  
wealth could display itself only in a larger house and a fuller barn ; and covetousness was satisfied by the tranquil succession of harvests. There was venison from the hills ; salmon, in their season, not less than shad, from the rivers ; and sugar from the trees of the forest. For a foreign market little was produced beside cattle ; and in return for them but few foreign luxuries stole in. Even so late as 1713, the number of seamen did not exceed one hundred and twenty.<sup>1</sup> The soil had originally been justly divided, or held as common property in trust for the public, and for new comers. Forestalling was successfully resisted ; the brood of speculators in land inexorably turned aside. Happiness was enjoyed unconsciously ; beneath the rugged exterior humanity wore its sweetest smile. There was for a long time hardly a lawyer in the land. The husbandman who held his own plough, and fed his own cattle, was the great man of the age ; no one was superior to the matron, who, with her busy daughters, kept the hum of the wheel incessantly alive, spinning and weaving every article of their dress. Fashion was confined within narrow limits ; and pride, which aimed at no grander equipage than a pillion, could exult only in the common splendor of the blue and white linen gown, with short sleeves, coming down to the waist, and in the snow-white flaxen apron, which, primly starched and ironed, was worn on public days by every woman in the land. For there was no revolution except from the time of sowing to the time of reaping ; from the plain dress of the week day to the more trim attire of Sunday.

Every family was taught to look upward to God, as

<sup>1</sup> Trumbull, i. 453.

to the Fountain of all good. Yet life was not sombre. CHAP.  
XI.  
The spirit of frolic mingled with innocence : religion itself sometimes wore the garb of gayety ; and the annual thanksgiving to God was, from primitive times, as joyous as it was sincere. Nature always asserts her rights, and abounds in means of gladness.

The frugality of private life had its influence on public expenditure. Half a century after the concession of the charter, the annual expenses of the government did not exceed eight hundred pounds, or four thousand dollars ; and the wages of the chief justice were ten shillings a day while on service. In each county a magistrate acted as judge of probate, and the business was transacted with small expense to the fatherless.<sup>1</sup>

Education was always esteemed a concern of deepest interest, and there were common schools from the first. Nor was it long before a small college, such as the day of small things permitted, began to be established ; and Yale owes its birth " to ten worthy fathers, who, in 1700, assembled at Branford, and each one, laying a few volumes on a table, said, ' I give these books for the founding of a college in this colony.' "

But the political education of the people is due to the happy organization of towns, which here, as indeed throughout all New England, constituted each separate settlement a little democracy of itself. It was the natural reproduction of the system, which the instinct of humanity had imperfectly revealed to our Anglo-Saxon ancestors. In the ancient republics, citizenship had been an hereditary privilege. In Connecticut, citizenship was acquired by inhabitancy, was lost by

<sup>1</sup> Trumbull, i. 452, 453.



**CHAP.** removal. Each town-meeting was a little legislature,  
**XI.** and all inhabitants, the affluent and the more needy, the wise and the foolish, were members with equal franchises. There the taxes of the town were discussed and levied; there the village officers were chosen; there roads were laid out, and bridges voted; there the minister was elected, the representatives to the assembly were instructed. The debate was open to all; wisdom asked no favors; the churl abated nothing of his pretensions. Whoever reads the records of these village democracies, will be perpetually coming upon some little document of political wisdom, which breathes the freshness of rural legislation, and wins a disproportioned interest, from the justice and simplicity of the times. As the progress of society required exertions in a wider field, the public mind was quickened by associations that were blended with early history; and when Connecticut emerged from the quiet of its origin, and made its way into scenes where a new political world was to be created, the sagacity that had regulated the affairs of the village, gained admiration in the field and in council.

During the intervening century, we shall rarely have occasion to recur to Connecticut; its institutions were perfected. For more than a century, peace was within its borders; and, with transient interruptions, its democratic institutions were unharmed. For a century, with short exceptions, its history is the picture of colonial happiness. To describe its condition is but to enumerate the blessings of self-government, as exercised by a community of farmers, who have leisure to reflect, who cherish education, and who have neither a nobility nor a populace. How dearly it

remembered the parent island, is told by the English names of its towns. Could Charles II. have looked back upon earth, and seen what security his gift of a charter had conferred, he might have gloried in an act which redeemed his life from the charge of having been unproductive of public happiness. The contentment of Connecticut was full to the brim. In a public proclamation under the great seal of the colony, it told the world that its days under the charter were "halcyon days of peace."

Those days never will return. Time, as it advances, never reproduces an old piece, but unfolds new scenes in the grand drama of human existence—scenes of more glory, of more wealth, of more action, but not of more tranquillity and purity.

Rhode Island was fostered by Charles II. with still greater liberality. When Roger Williams had succeeded in obtaining from the Long Parliament the confirmed union of the territories that now constitute the state, he returned to America, leaving John Clarke as the agent of the colony in England. Never did a young commonwealth possess a more faithful friend; and never did a young people cherish a fonder desire for the enfranchisement of mind. "Plead our case," they had said to him in previous instructions, which Gorton and others had draughted,<sup>1</sup> "in such sort as we may not be compelled to exercise any civil power over men's consciences; we do judge it no less than a point of absolute cruelty." And now that the hereditary monarch was restored and duly acknowledged, they had faith that "the gracious hand of Providence would

CHAP.  
XI.

1652.

1652  
to  
1664.

1658.  
Nov.  
5.

1660.  
Oct.  
18.

<sup>1</sup> MS. extracts from the records. The instructions are printed in *Mass. Hist. Coll.* xvii. 85—87. The document is of the highest interest; no learning or skill in rhetoric could have mended it.

CHAP. preserve them in their just rights and privileges.”<sup>1</sup> “It  
 XI. is much in our hearts,” they urged in their petition to Charles II., “to hold forth a lively experiment, that a most flourishing civil state may stand, and best be maintained, with a full liberty of religious concerns.” The benevolent monarch listened to their

1662. petition; it is more remarkable that Clarendon exerted himself<sup>2</sup> for the men who used to describe themselves as having fled from bishops as from wolves; the experiment of religious freedom in a nook of a remote continent, could not appear dangerous; it might at once build up another rival to Massachusetts, and solve a curious problem in the history of man. The charter, therefore, which was delayed only by controversies  
 1663. about bounds, was at length perfected, and, with new  
 July principles, imbodyed all that had been granted to Con-  
 8. necticut.<sup>3</sup> The supreme power was committed—the rule continues to-day—to a governor, deputy-governor, ten assistants, now called senators, and deputies from the towns. It marks a singular moderation, that the scruples of the inhabitants were so respected, that no oath of allegiance<sup>4</sup> was required of them; the laws were to be agreeable to those of England, yet with the kind reference “to the constitution of the place, and the nature of the people;” and with great benevolence the monarch proceeded to exercise, as his brother attempted to do in England, and as by the laws of England he could not exercise within the realm, the dispensing power in matters of religion. “No person within the said colony, at any time hereafter, shall be any wise molested, punished, disquieted, or called in

<sup>1</sup> Commission to John Clarke, in *Mass. Hist. Coll.* xvii. 90, 91.

<sup>2</sup> *R. I. Records.*

<sup>3</sup> Hazard, ii. 612, &c.; and also Knowles, App. G.

<sup>4</sup> Hazard, ii. 617.

question, for any difference in opinion in matters of religion ; every person may at all times freely and fully enjoy his own judgment and conscience in matters of religious concerns.” The charter did not limit freedom to Christian sects alone ; it granted equal rights to the painim, and the worshipper of Fo. To the disciples of Confucius it was, on the part of a Christian prince, no more than an act of reciprocal justice ; the charter of Rhode Island was granted just one year after the emperor of China had proclaimed the enfranchisement of Christianity among the hundred millions of his people.

No joy could be purer than that of the colonists, when the news was spread abroad, that “ George Baxter,<sup>1</sup> the most faythful and happie bringer of the charter,” had arrived. On the beautiful island, long esteemed a paragon for fertility, and famed as one of the pleasantest sea-side spots in the world, the whole body of the people gathered together, “ for the solemn reception of his majesty’s gracious letters patent.” It was “ a very great meeting and assembly.” The letters of the agent “ were opened, and read with good delivery and attention ;” the charter was next taken forth from the precious box that had held it, and “ was read by Baxter, in the audience and view of all the people ; and the letters with his majesty’s royal stamp, and the broad seal, with much beseeming gravity, were held up on high, and presented to the perfect view of the people.” Now Rhode Island was safe ; Massachusetts had denied the separate existence of that colony ; she must now yield to the willing witness of their sovereign. And how could Rhode Island be otherwise

CHAP.  
XI.  
1663.

Nov.  
24.

<sup>1</sup> Backus, almost always very accurate, here mistakes the name.

CHAP. than grateful to Charles II., who had granted to them  
 XI. all that they had asked, and who relied on their affec-  
 1663. tions, without exacting even the oath of allegiance ?

This charter of government, constituting, as it then seemed, a pure democracy, and establishing a political system which few beside the Rhode Islanders themselves believed to be practicable, is still in existence, and is the oldest constitutional charter, now valid, in the world. It has outlived the principles of Clarendon and the policy of Charles II. The probable population of Rhode Island, at the time of its reception, may have been two thousand five hundred. In one hundred and seventy years, that number has increased forty-fold ; and the government, which was hardly thought to contain checks enough on the power of the people, to endure even among shepherds and farmers, protects a dense population, and the accumulations of a widely-extended commerce. No where in the world have life, liberty, and property, been safer than in Rhode Island.

The thanks of the colony were unanimously voted to a triumvirate of benefactors<sup>1</sup>—to “ King Charles of England, for his high and inestimable, yea, incomparable favor ;” to Clarendon, the historian, the statesman, the prime minister, who had shown “ to the colony exceeding great care and love ;” and to the modest and virtuous Clarke,<sup>2</sup> the persevering and disinterested envoy, who, during a twelve years’ mission, had sustained himself by his own exertions and a mortgage on his estate ; whose whole life was a continued  
 1676. exercise of benevolence, and who, at his death, be-

<sup>1</sup> MS. Record, Vote 3, 4, and 6. His enemies in Massachusetts dis-

<sup>2</sup> On Clarke, see Backus, i. 440 ; Allen’s Biog. Dict. The charge of “ baseness ” in Grahame, i. 315, ed. 1836, is Grahame’s own invention. liked his principles and his success ; they respected his fidelity and his blameless character. Grahame is usually very candid in his judgments.

queathed all his possessions for the relief of the needy, and the education of the young. Others have sought office to advance their fortunes; he, like Roger Williams, parted with his little means for the public good. He had powerful enemies in Massachusetts, and left a name without a spot. CHAP.  
XI.  
1663.

It requires but small acquaintance with authors to discover those who bestow praise grudgingly, even where most deserved. Men of letters have the passions and frailties of human nature, and display them in their writings; and there are not wanting historical inquirers who are swayed by some latent motive of party to impair the merits of the illustrious dead, and envy the reputation of states. The laws of Rhode Island, which had been repeatedly revised by committees, were not published till after, not only the revolution of 1688, but the excitements consequent on the Hanoverian succession; and we find in the oldest printed copy now extant,<sup>1</sup> that Roman Catholics were excepted from the enjoyment of freedom of conscience. The exception was not the act of the people of Rhode Island; nor do the public records indicate what committee of revisal made the alteration, for which the occasion grew out of English politics. The exception was harmless, for there were no Roman Catholics in the colony. When, in the war for independence, French ships arrived in the harbors of Rhode Island, the inconsistent exception was immediately erased by the legislature. There have been those, who, arguing plausibly from the printed copy, have referred this exception to the first general assembly that met at Newport after the patent arrived. I have carefully

<sup>1</sup> I have seen none older than the edition of 1744.

CHAP. examined the records, and find that the people of  
 XI. Rhode Island, on accepting their charter, affirmed the  
 great principle of intellectual liberty in its widest  
 scope. The first assembly<sup>1</sup> did little more than  
 1664. organize the government anew, and repeal all laws  
 Mar. inconsistent with the charter—a repeal which precludes  
 the possibility of the disfranchising of Roman Catholics.  
 May In May, the regular session was held, and religious  
 5. freedom was established in the very words of the  
 charter.<sup>2</sup> The broad terms embrace not Roman  
 Catholics merely, but men of every creed. “No per-  
 son shall at any time hereafter be any ways called in  
 question for any difference of opinion in matters of  
 religion.” As if to preserve a record that should refute  
 the calumny, in May, 1665, the legislature asserted that  
 “liberty to all persons, as to the worship of God, had  
 been a principle maintained in the colony from the  
 very beginning thereof; and it was much in their hearts  
 to preserve the same liberty forever.”<sup>3</sup> Nor does this  
 rest on their own testimony in their own favor. The  
 commissioners from England, who visited Rhode Island,  
 reported of its people, “They allow liberty of conscience  
 to all who live civilly; they admit of all religions.”<sup>4</sup>  
 And again, in 1680, the government of the colony could  
 say, what there was no one oppressed individual to  
 controvert, “We leave every man to walk as God  
 persuades his heart; all our people enjoy freedom of  
 conscience.”<sup>5</sup> Freedom of conscience, unlimited free-

<sup>1</sup> This appears from the R. I. Records, March, 1663-4.

<sup>2</sup> Records. If Roman Catholics were disfranchised (which they were not) in March, 1663-4, that disfranchisement endured only two months. Compare Eddy, in Walsh's Appeal, 429, &c.; and Bull, in the R. I. Republican for Jan. 15, 1834.—Chal-

mers, 276; Douglass, ii. 83. 104; British Dom. in America, ii. 252; Brit. Empire, ii. 148; Holmes, &c. &c. &c. are all but forms of the one single authority in the printed laws of Rhode Island.

<sup>3</sup> Mass. Hist. Coll. xvii. 98.

<sup>4</sup> Hutch. Coll. 418. 415.

<sup>5</sup> Chalmers, 284.

dom of mind, was, from the first, the trophy of the Baptists. CHAP.  
XL.

What more shall we relate of Rhode Island in this early period? That it invented a new mode of voting, since each freeman was obliged to subscribe his name on the outside of his ballot? that, for a season, it divided its general assembly into two houses—a change which, near the close of the century, was permanently adopted? that it ordered the towns to pay the deputies three shillings a day for their legislative services? that it was importuned by Plymouth, and vexed by Connecticut, on the subject of boundaries? that, asking commercial immunities, it recounted to Clarendon the merits of its bay, “in very deed the most excellent in New England; having harbors safe for the biggest ships that ever sayled the sea, and open when others at the east and west are locked up with stony doors of ice”? It is a more interesting question, if the rights of conscience and the freedom of mind were strictly respected.

There have not been wanting those who have charged Rhode Island with persecuting the Quakers. The calumny has not even a plausible foundation. The royal commissioners, in 1665, less charitable than the charter, required the oath of allegiance; the general assembly, scrupulous in its respect for the rights of conscience, would listen to no proposition except for an engagement of fidelity, and due obedience to the laws. To refuse the engagement was to forfeit the elective franchise. Could a milder course have been proposed? When, by experience, this engagement was found irksome to the Quakers, it was the next year repealed.<sup>1</sup>

<sup>1</sup> Brinley, in *Mass. Hist. Coll.* v. in reply, Eddy in *Mass. Hist. Coll.* 216—220; Holmes, i. 341. Compare, xvii. 97; Knowles, 324, 325.



CHAP. XI. Once, indeed, Rhode Island was betrayed into inconsistency. There had been great difficulties in collecting taxes, and towns had refused to pay their rates. In 1671, the general assembly passed a law, inflicting a severe penalty on any one who should speak in town-meeting against the payment of the assessments. The law lost to its advocates their  
 1672. reëlection; in the next year, the magistrates were selected from the people called Quakers, and freedom of debate was restored. George Fox himself was present among his Friends, demanding a double diligence in "guards against oppression," and in the firm support "of the good of the people." The instruction of "all the people in their rights," he esteemed the creative power of good in the colony; and he adds,—for in his view Christianity established political equality,—“You are the unworthiest men upon the earth, if you do lose the liberty wherewith Christ hath made you free in life and glory.”<sup>1</sup>

For Maryland, the restoration of the Stuarts was the restoration of its proprietary. Virginia possessed far stronger claims for favor than Rhode Island and Connecticut; and Sir William Berkeley himself embarked  
 1661. April 30. for England as the agent of the colony. But Virginia was unhappy alike in the agent whom she selected and in the object of her pursuit. Berkeley was eager

<sup>1</sup> The leading printed authorities for early Rhode Island history, are Callender's *Century Sermon*, Backus's *History of the Baptists*, and Knowles's *Roger Williams*. The *Mass. Hist. Coll.* contain many useful documents, too various to be specially cited. Our Rhode Island Historical Society has published three valuable volumes. Hopkins's *History of Providence* is not accurate; it is in the *Mass. Hist. Coll. Compare, also, Walsh's Appeal*, 431, &c. Let me not forget to add the reprints from the *Records*, and the *Commentaries* of Henry Bull, of Newport. Besides printed works, I have large MS. materials, which I collected in part from the public offices in Rhode Island. I am especially indebted to William R. Staples, who, with singular liberality, intrusted to me the MS. collections which he has been gathering for years. Such kindness demands my gratitude.

in the advancement of his own interests ; and Virginia desired relief from the pressure of the navigation act,<sup>1</sup> which Charles II. had so recently ratified. Relief was impossible ; for it was beyond the prerogative of the king, and lay only within the power of parliament. Virginia received no charter, nor any guaranty for her established constitution, except in the instructions to her governor. The confidence of loyalty was doomed to suffer heavy retribution ; and to satisfy the greediness of favorite courtiers, Virginia was dismembered by lavish grants, till at last the whole colony was given away for a generation, as recklessly as a man would give away a life-estate in a farm.

Meantime Sir William Berkeley made use of his presence in England for his own account, and set the example of narrowing the limits of the province for which he acted, by embarking with Clarendon and six other principal courtiers and statesmen of that day, in an immense speculation in lands. Berkeley, being about to return to America, was perhaps esteemed a convenient instrument. King Charles was caricatured in Holland, with a woman on each arm, and courtiers picking his pocket. This time they took whole provinces ; the territory which they obtained, if divided among the eight, had given to each a tract as extensive as the kingdom of France.

To complete the picture of the territorial changes made by Charles II., it remains to be added, that, having given away the whole south, he enfeoffed his brother with the country between Pemaquid and the St. Croix. The proprietary rights to New Hampshire and

<sup>1</sup> Albany Records, xviii. 158. In effecting very little in favor of the reply, the Dutch W. I. C., July 15, English Virginians." Records, 1662. "Gov. Berkeley has as yet xviii. 197.

- CHAP. <sup>XI.</sup> Maine were revived, with the intent to purchase them  
 1664. for the duke of Monmouth. The fine country from  
 Connecticut River to Delaware Bay, tenanted by  
 1681. nearly ten thousand souls, in spite of the charter to  
 Winthrop, and the possession of the Dutch, was, like  
 part of Maine, given to the duke of York. The  
 charter which secured a large and fertile province to  
 1679. William Penn, and thus invested philanthropy with  
 executive power on the western bank of the Delaware,  
 was a grant from Charles II. After Philip's war in  
 New England, Mount Hope was hardly rescued from a  
 courtier, then famous as the author of two indifferent  
 comedies. The grant of Nova Scotia to Sir Thomas  
 Temple was not revoked, while, with the inconsistency  
 1667. of ignorance, Acadia, with indefinite boundaries, was  
 restored to the French. From the outer cape of Nova  
 Scotia to Florida, with few exceptions, the tenure of  
 every territory was changed. Nay, further, the trade  
 with Africa, the link in the chain of universal com-  
 merce, that first bound Europe, Asia, and America,  
 together, and united the Caucasian, the Malay, and  
 the Æthiopian races in indissoluble bonds, was given  
 away to an exclusive company, which alone had the  
 right of planting on the African coast. The frozen  
 zone itself was invaded, and Prince Rupert and his  
 1669. associates were endowed with a monopoly of Hudson's  
 Bay and the adjacent territories.

During the four first years of his actual reign, Charles II. gave away a large part of a continent. Had he possessed the means of continuing as lavish of his gifts, in the course of his reign he would have given away the world.

## CHAPTER XII.

### MASSACHUSETTS AND CHARLES II.

MASSACHUSETTS never enjoyed the favor of the restored government. The virtual independence which had been exercised for the last twenty years, was too dear to be hastily relinquished. The news of the restoration, brought by the ships in which Goffe and Whalley were passengers, was received with skeptical anxiety; and no notice was taken of the event. At the session of the general court in October, a motion for an address to the king did not succeed; affairs in England were still regarded as unsettled. At last it became certain that the hereditary family of kings had recovered its authority, and that swarms of enemies to the colony had gathered round the new government; a general court was convened, and addresses were prepared for the parliament and the monarch. These addresses have been censured as marked with Oriental adulation:<sup>1</sup> the spirit that breathes through them is republican; the language of hyperbole was borrowed from the manners of the East, so familiar from the study of the Hebrew Scriptures. By advice of the great majority of elders, no judgment was expressed on the execution of Charles I., and "the grievous confusions" of the past.<sup>2</sup> The colonists appealed to the

CHAP.  
XII.  
1660.

July  
27.

Nov.  
30.

Dec.  
19.

<sup>1</sup> Ebeling, i. 954. Ebeling is rarely so uncharitable.

<sup>2</sup> Hutch. Coll. 332. "It is doubted by the most," &c. Elders' Advice.

CHAP. king of England,<sup>1</sup> as "a king who had seen adversity,  
 XII. and who, having himself been an exile, knew the  
 1660. hearts of exiles." They prayed for "the continuance  
 of civil and religious liberties," and requested against  
 complaints an opportunity of defence. "Let not the  
 king hear men's words,"—such was their petition;—  
 "your servants are true men, fearing God and the  
 king. We could not live without the public worship  
 of God; that we might, therefore, enjoy divine worship  
 without human mixtures, we, not without tears, de-  
 parted from our country, kindred, and fathers' houses.  
 Our garments are become old by reason of the very  
 long journey; ourselves, who came away in our  
 strength, are, many of us, become gray-headed, and  
 some of us stooping for age." In return for the protec-  
 tion of their liberties, they promise the blessing of a  
 people whose trust is in God.

Dec. At the same time, Leverett, the agent of the colony,  
 19. was instructed to make interest in its behalf with  
 members of parliament and the privy council; to inter-  
 cede for its chartered liberties; to resist appeals to  
 England, alike in cases civil or criminal. Some hope  
 was entertained that the new government might be  
 propitious to New England commerce, and renew the  
 favors which the Long Parliament had conceded. But  
 the navigation act had just been passed; and Massa-  
 chusetts never gained an exemption from its severity  
 till she ceased to demand it as a favor.

Meantime a treatise, which Eliot, the benevolent  
 apostle of the Indians,—the same who had claimed for  
 the people a voice even in making treaties,—had pub-  
 lished in defence of the unmixed principles of popular

<sup>1</sup> Hutch. Coll. 325—329.

freedom, was condemned, as too full of the seditious doctrines of democratic liberty; the single-minded author did not hesitate to suppress his book on "the Christian Commonwealth," and in guarded language to acknowledge the form of government by king, lords, and commons, as not only lawful, but eminent.<sup>1</sup>

CHAP.  
XII.  
1681.  
Mar.  
18.

A general expression of good will from the king, could not quiet the apprehensions of the colonists. The committee for the plantations had already surmised that Massachusetts would, if it dared, cast off its allegiance, and resort to an alliance with Spain, or to any desperate remedy, rather than admit of appeals to England. Upon this subject a controversy immediately arose; and the royal government resolved to establish the principle which the Long Parliament had waived.

Feb.  
15.  
April

It was therefore not without reason, that the colony foreboded collision with the crown; and after a full report from a numerous committee, of which Bradstreet, Hawthorne, Mather, and Norton, were members, the general court published a declaration of natural and chartered rights.

May

Their liberties under God and their patent they declare to be, "to choose their own governor, deputy-governor, and representatives; to admit freemen on terms to be prescribed at their own pleasure; to set up all sorts of officers, superior and inferior, and point out their power and places; to exercise, by their annually-elected magistrates and deputies, all power and authority, legislative, executive, and judicial; to defend themselves by force of arms against every aggression; and to reject, as an infringement of their right, any

June  
10.

<sup>1</sup> Hutchinson, i. 195.

CHAP. parliamentary or royal imposition, prejudicial to the  
 XII. country, and contrary to any just act of colonial legis-  
 1661. lation." The duties of allegiance were narrowed to a  
 few points, which conferred neither profit nor substan-  
 tial power on the king.

Thus Massachusetts joined issue with the king, by  
 denying the right of appeal, and with the parliament,  
 by declaring the navigation act an infringement of  
 chartered rights. It was not till these long and careful  
 preparations had been completed, that, more than a  
 year after his restoration, Charles II. was acknowledged  
 Aug. by public proclamation. We have seen how England  
 7. welcomed his return; there, men, and even women,  
 and of rank too, in the delirium of joy, gathered on  
 their knees in the streets round buckets of wine;  
 Massachusetts permitted no man to drink the king's  
 health. A few formalities were coldly observed. The  
 day that saw monarchy renewed on this side the At-  
 lantic, was not esteemed a day of rejoicing.

Massachusetts had continued the exercise of its  
 government as of right; complaints against her had  
 multiplied; and her own interests, seconding the ex-  
 press orders of the monarch, induced her to send  
 envoys to London. The country was divided in  
 opinion; the large majority, which was in possession  
 of the government, insisted on sustaining, with the  
 charter, an independent administration in undiminished  
 force; others were willing to make such concessions as  
 would satisfy the ministry of Clarendon. The first  
 Dec. party held the reins of government, and John Norton,  
 31. a fine scholar and rigid Puritan, yet a friend to moderate  
 counsels, was joined with the excellent Simon Brad-  
 1662. street in the commission for England. They were  
 Jan. instructed to persuade the king of the confiding loyalty  
 24.

of Massachusetts, and yet to suffer no appeals from the colony to his clemency or his consideration ; to propitiate the monarch, and yet to save the independence of the country. Conscious that they were sent on an impossible mission, the envoys embarked with great reluctance. Letters were at the same time transmitted to those of the English statesmen on whose friendship it was safe to rely.<sup>1</sup>

CHAP.  
XII.

1662.

Feb.  
10.

Whatever might have been the secret wishes or intentions in England, King Charles, aware of the spirit of the colonists, conscious of his own poverty and weakness, and ignorant of the numbers and strength of Massachusetts, received the messengers with courtesy ; and they returned in the fall with the royal answer, which probably originated with Clarendon. A confirmation of the charter was granted, and an amnesty of all offences during the late troubles, was conditionally promised. But the king asserted his right to interfere in the domestic concerns of the colony ; he demanded a repeal of all laws derogatory to his authority ; the administration of the oath of allegiance ; the administration of justice in his name ; the complete toleration of the Church of England ; and a concession of the elective franchise to every inhabitant possessing a competent estate.

These requisitions seemed not wholly unreasonable in themselves ; the people of Massachusetts regarded, not so much the nature of the requisitions, as of the power which made the demand. The principle seemed to give to the monarch a virtual negative on their acts, and a power of reversing the judgments of their courts. The question of obedience was a question of liberty, and gave birth to the parties of prerogative and of

<sup>1</sup> Hutch. Coll. 344—371.



CHAP. freedom. Such is the origin of the parties which con-  
 XII. tinued to divide Massachusetts till the establishment  
 of actual independence.

The character of the times connected religious intolerance with the contest. Episcopacy and monarchy were feared as natural allies: Anabaptists, also, were royalists; they had appeared before the ministry in England as plaintiffs against Massachusetts, and could boast of the special favor of Charles II. The principles of an enlightened toleration had been so rapidly gaining ground, that they had repeatedly possessed a majority in one branch of the legislature; but, now that Massachusetts was compelled to resume its opposition to monarchy, a censorship over the press was established; and the distrust of all dissension from the established forms of dissent, awakened once more the energies of religious bigotry. The representatives of Massachusetts, instead of complying with the wishes of the king, resolved only on measures conducive "to the glory of God, and to the felicity of his people;" that is, to a continuance of their religious institutions, and their democratic independence.

1663. Meantime the people of Massachusetts were not ignorant how great dangers they incurred by refusing to comply with the demand of their sovereign.<sup>1</sup> False rumors were mingled with true reports, and assisted to incense the court at St. James. Whalley and Goffe, it was currently asserted, were at the head of an army;<sup>2</sup> the union of the four New England colonies was believed to have had its origin in the express "purpose of throwing off dependence on England."<sup>3</sup> Sir Thomas Temple, brother to Sir William Temple, had

<sup>1</sup> Chalmers, 386.

<sup>2</sup> MS. letter of Sir T. Temple.

<sup>3</sup> MS. letter of commissioners to T. Prince, of Plymouth.

resided for years in New England, and now appeared as their advocate. "I assure you"—such was Clarendon's message to Massachusetts—"of my true love and friendship to your country; neither in your privileges, charter, government, nor church discipline, shall you receive any prejudice."<sup>1</sup> Yet the news was soon spread abroad, that commissioners would be appointed to regulate the affairs of New England; and at length there was room to believe that they had already embarked, and that ships of war would soon anchor in the harbor of Boston.<sup>2</sup>

CHAP.  
XII.

1663.

1664.

Precautionary measures were promptly adopted. The patent was delivered to a committee of four, by whom it was to be kept safely and secretly for the country. To guard against danger from an armed force, officers and soldiers were forbidden to land from ships, except in small parties; and strict obedience to the laws of Massachusetts was required from them. In conformity to former usage, a day of fasting and prayer was appointed. The usage has been ridiculed. That age was an age of religious faith; every man was required to attend public worship. Not an individual, but the sick, was ordinarily absent; for, in those days, the mother took with her the nursling whom she could not leave. To appoint a day of fasting on a special occasion, was to call together, in their respective assemblies, every individual of the colony, and to engage the attention of the whole people to a single subject, under the sanction of the invisible presence of God. No mode of diffusing intelligence could equal

<sup>1</sup> Temple's MS. letter.

<sup>2</sup> The chief authorities are Hutchinson's Hist. i. c. ii. and Appendix; Hutch. Coll.; Danforth Papers, in Mass. Hist. Coll. xviii.; Chalmers, c. xvi. There are many papers re-

lating to this period in Hazard. Copious abstracts from the Records, and from the MS. State Papers of Massachusetts, have been most liberally furnished me by J. B. Felt.

CHAP. this, which reached every man's ear. The whole  
XII. public mind thus became excited, and its decisions  
1664. known.

July  
23

At length the fleet, equipped for the reduction of the Dutch settlements on the Hudson, arrived at Boston, bearing commissioners hostile to colonial liberties, and charged to investigate the manner in which the charters of New England had been exercised, "with full authority to provide for the peace of the country, according to the royal instructions, and their own discretion."

No exertion of power was immediately attempted; but the people of Massachusetts, from the first, descried the approach of tyranny. They feared discretion. They would never trust it to their own magistrates; and should they now submit to the discretion of strangers and enemies? The general court assembled to meet the danger; and measures of redress and prevention were devised.

It was agreed to levy two hundred men for the expected war against the Dutch; and this was done, although the services of the men were never required. But the commission was considered a flagrant violation of chartered rights. The inhabitants of Massachusetts had already adopted views which are now a part of the public opinion of the country, but which are not yet received into the system of international law. In regard to the obedience due to a government, they distinguished between natural obedience and voluntary subjection. The child born on the soil of England, is necessarily an English subject; but they held to the original right of expatriation; that every man may withdraw from the land of his birth, and renounce all duty of allegiance with all claim to pro-

tection. This they themselves had done. Remaining in England, they acknowledged the obligatory force of established law ; because those laws were intolerable, they had emigrated to a new world, where they could all have organized their government, as many of them originally did, on the basis of natural rights, and of perfect independence.

CHAP.  
XII.

But it had seemed good to them to retain their connection with England ; this connection they held to be purely voluntary ; originally and solely established, and therefore exclusively defined, by the charter, which was the instrument of that voluntary subjection, and the only existing compact connecting them with England. The right of England to the soil, under the pretence of discovery, they derided as a popish doctrine, derived from Alexander VI. ; and they pleaded, as of more avail, their just occupation, and their purchase from the natives.

Such were the views by which they were animated ; and, as the establishment of a commission with discretionary powers was not specially sanctioned by their charter, they resolved to resist the orders of the king, and nullify his commission. While, therefore, the fleet was engaged in reducing New York, Massachusetts published an order prohibiting complaints to the commissioners, and, preparing a remonstrance, not against deeds of tyranny, but the menace of tyranny—not against actual wrong, but against a principle of wrong—thus addressed King Charles II. :—

1664.  
Sept.  
10.

Oct.  
25.

“ Dread Sovereign—The first undertakers of this plantation did obtain a patent, wherein is granted full and absolute power of governing all the people of this place, by men chosen from among themselves, and according to such laws as they should see meet to

CHAP. establish. A royal donation, under the great seal, is  
 XII. the greatest security that may be had in human affairs.

1664. Under the encouragement and security of the royal  
 Oct. charter, this people did, at their own charges, transport  
 25. themselves, their wives and families, over the ocean, purchase the land of the natives, and plant this colony, with great labor, hazards, cost, and difficulties; for a long time wrestling with the wants of a wilderness, and the burdens of a new plantation; having also, now above thirty years, enjoyed the privilege of GOVERNMENT WITHIN THEMSELVES, as their undoubted right in the sight of God and man. To be governed by rulers of our own choosing and lawes of our own, is the fundamental privilege of our patent.

“ A commission under the great seal, wherein four persons (one of them our professed enemy) are empowered to receive and determine all complaints and appeals according to their discretion, subjects us to the arbitrary power of strangers, and will end in the subversion of our all.

“ If these things go on, your subjects here will either be forced to seeke new dwellings, or sink under intolerable burdens. The vigor of all new endeavors will be enfeebled; the king himself will be a loser of the wonted benefit by customs, exported and imported from hence into England, and this hopeful plantation will in the issue be ruined.

“ If the aime should be to gratify some particular gentlemen by livings and revenues here, that will also fail, for the poverty of the people. If all the charges of the whole government by the year were put together, and then doubled or trebled, it would not be counted for one of those gentlemen a considerable accommodation. To a coalition in this course the people will

never come ; and it will be hard to find another people that will stand under any considerable burden in this country, seeing it is not a country where men can subsist without hard labor and great frugality.

CHAP.  
XII.  
1664.  
Oct.  
25.

“ God knows, our greatest ambition is to live a quiet life, in a corner of the world. We came not into this wilderness to seek great things to ourselves ; and if any come after us to seeke them heere, they will be disappointed. We keep ourselves within our line ; a just dependence upon, and subjection to, your majestie, according to our charter, it is far from our hearts to disacknowledge. We would gladly do any thing within our power to purchase the continuance of your favorable aspect. But it is a great unhappiness to have no testimony of our loyalty offered but this, to yield up our liberties, which are far dearer to us than our lives, and which we have willingly ventured our lives, and passed through many deaths to obtain.

“ It was Job’s excellency, when he sat as king among his people, that he was a father to the poor. A poor people, destitute of outward favor, wealth, and power, now cry unto their lord the king. May your majestie regard their cause, and maintain their right ; it will stand among the marks of lasting honor to after generations.”

The spirit of the people corresponded with this address. Did any appear to pay court to the commissioners, they became objects of derision. Even the writing to the king and chancellor was not held to be a duty ; the compact by the charter required only the payment to the king of one fifth of all gold and silver ore ; this was an obligation ; any notice of the king beyond this was only by way of civility.<sup>1</sup> It was also

<sup>1</sup> Hutch. Coll. 420.

CHAP. hoped to weary the English government by a tedious  
 XII. correspondence ; which might be continued till a new  
 1664. revolution. "For who knows," it was said, "but  
 there may be a new revolution in England?" It is  
 sometimes difficult to distinguish the instinct of fanati-  
 cism from the soundest judgment ; fanaticism is some-  
 times of the keenest sagacity. There were many in  
 New England who confidently expected a revival of  
 liberty after the restoration, and what was called "the  
 slaying of the witnesses." "Who knows," it was  
 asked, "what the event of this Dutch war will be?"  
 The establishment of arbitrary power would bring  
 arbitrary taxation in its train, for the advantage of  
 greedy courtiers. A report was spread, that Massa-  
 chusetts was to yield a revenue of five thousand pounds  
 yearly, for the king. Public meetings of the people  
 were held ; the brave and liberal Hawthorne, at the  
 head of a company of train-bands, made a speech  
 which royalists deemed "seditious;" and the inflexible  
 Endicott, just as the last sands of life were running  
 out, addressed the people at their meeting-house in  
 Boston. Charles II. had written to the colony against  
 Endicott, as a person not well affected, and desired  
 that some other person might be chosen governor in  
 his stead ; but Endicott, who did not survive till the  
 1665. day of election, retained his office till the King of  
 Mar. Kings summoned him from the world. The aged  
 15. Davenport was equally unbending. "The commis-  
 sion," said he from New Haven, "is but a tryal of our  
 courage ; the Lord will be with his people while they  
 are with him. If you consent to this court of appeals,  
 you pluck down with your own hands the house which  
 wisdom has built for you and your posterity."

The elections in the spring of 1665 proceeded with

great quiet; the people firmly sustained the govern-  
ment. Meantime letters of entreaty had been sent to CHAP.  
XII.  
Robert Boyle and the earl of Manchester; for, from 1664.  
the days of Southampton and Sandys, of Warwick and  
Say, to those of Burke and Chatham, America was not  
entirely destitute of friends in England. But none of  
them would perceive the reasonableness of complaining  
against an abstract principle. "We are all amazed,"  
wrote Clarendon, who, says Robert Boyle, was no 1665.  
enemy to Massachusetts; "you demand a revocation  
of the commission, without charging the commissioners  
with the least matter of crimes or exorbitances."  
Boyle echoed the astonishment: "The commissioners  
are not accused of one harmful thing, even in your  
private letters." The statesmen of that day in Massa-  
chusetts were more wise, and understood the doctrine  
of liberty better than the chancellor of England. A  
century later, and there were none in England who  
did not esteem the commission an unconstitutional  
usurpation.<sup>1</sup>

To Connecticut, the controversy of Massachusetts 1664.  
with the commissioners was fraught with beneficial  
results. It facilitated the entire union of the two  
colonies of Hartford and New Haven; and, as the  
commissioners were desirous to make friends in the  
other colonies, they avoided all angry collisions, gave  
no countenance to a claim advanced by the duke of  
Hamilton to a large tract of territory in the colony;  
and, in arranging the limits of New York, though the  
charter of Clarendon's son-in-law extended to the River  
Connecticut, they established the boundary, on the  
main, in conformity with the claims of Connecticut  
itself. Long Island went to the duke of York. Sat-

<sup>1</sup> Boyle, in *Mass. Hist. Coll.* xviii. *Chalanters.*



CHAP. isfied with the harmony which they had secured by  
 XII. attempting nothing but for the interests of the colony,  
 1664. the commissioners saw fit to praise to the monarch  
 "the dutifulness and obedience of Connecticut," which  
 was "set off with the more lustre by the contrary  
 deportment of Massachusetts."

We shall soon have occasion to narrate the events in  
 which Nichols was engaged at New York, where he  
 remained. Carr, Cartwright, and Maverick, the other  
 1665. commissioners, returning to Massachusetts, desired that,  
 Feb. at the next general election day, the whole male popu-  
 15. lation might be assembled in Boston, to hear the  
 message from the king. The absurd proposal was  
 rejected. "He that will not attend to the request,"  
 said Cartwright, "is a traitor."

The nature of the government of Rhode Island, its  
 habitual policy of relying on England for protection,  
 secured to the royal agents in that province a less  
 unfavorable reception. Plymouth,<sup>1</sup> the weakest colony  
 of all, stood firm for its independence; although the  
 commissioners, flattering the long-cherished hopes of  
 the inhabitants, had promised them a charter if they  
 would but set an example of compliance, and allow the  
 king to select their governor from among three candi-  
 dates, whom they themselves should nominate. The  
 general assembly, after due consideration, "with many  
 thanks to the commissioners, and great protestations  
 of loyalty to the king," "chose to be as they were."  
 The people of Plymouth at that time were so poor,  
 "they could not maintain scholars to their ministers;"  
 but in some places made use of "a guifted brother;"  
 but the brethren were as "guifted" in the nature of  
 liberty as in religion.

<sup>1</sup> Morton and Davis, 310, &c., and 417, &c.

If Plymouth could not be blinded by the dazzling prospect of a charter, there was no room to expect success in Massachusetts. The conference between the two parties degenerated into an altercation. "It is insufferable," said the government, "that the colony should be brought to the bar of a tribunal unknown to its charter." At length it was directly asked, "Do you acknowledge his majesty's commission?" The colony declined giving a direct answer, and chose rather to plead his majesty's charter.

CHAP.  
XII.  
1665.  
May.

May  
19.  
May  
23.

Tired of discussion, the commissioners resolved to act; and declared their intention of holding a court to decide a cause in which the colony was cited to appear as defendant. The general court forbade the procedure. The commissioners refused to recede; the morning for the trial dawned; the parties had been summoned; the commissioners were preparing to proceed with the cause, when, by order of the court, a herald stepped forth, and, having sounded the trumpet with due solemnity, made a public proclamation, in the name of the king, and by authority of the charter, declaring to all the people of the colony, that, in observance of their duty to God, to the king, and to their constituents, the general court could not suffer any to abet his majesty's honorable commissioners in their proceedings.

Some extraordinary form of publicity was thought necessary, to give validity to the remonstrance. The herald sounded the trumpet in three several places, and repeated publicly his proclamation. We may smile at this solitary imitation of a feudal ceremony. Yet when had the voice of a herald proclaimed the approach of so momentous a contest? It was not merely a

CHAP. struggle of the general court and the commissioners ;  
 XII.  
 nor yet of Charles II. and Massachusetts ; it was a still  
 1665. more momentous combat—the dawning strife of the  
 new system against the old system, of American poli-  
 tics against European politics.

May The commissioners could only wonder that the  
 24. arguments of the king, his chancellor, and his secretary,  
 could not convince the government of Massachusetts.  
 “ Since you will misconstrue our endeavors,” said they,  
 “ we shall not lose more of our labors upon you ; ” and  
 so they retreated to the north. There they endeav-  
 ored to inquire into the bounds of New Hampshire and  
 Maine, and to prepare for the restoration of proprietary  
 claims. Massachusetts was again equally active and  
 fearless ; its governor and council forbade the towns  
 on the Piscataqua to meet, or in any thing to obey the  
 commission, at their utmost peril.<sup>1</sup>

In Maine, the temper of the people was more favor-  
 able to royalty ; they preferred the immediate protec-  
 tion of the king to an incorporation with Massachusetts,  
 or a subjection to the heir of Gorges ; and the commis-  
 sioners, setting aside the officers appointed by Massa-  
 chusetts, and neglecting the pretensions of Gorges,  
 issued commissions to persons of their selection to  
 govern the district. There were not wanting those  
 who, in spite of threats, openly expressed fears of “ the  
 sad contentions ” that would follow, and acknowledged  
 that their connection with Massachusetts had been  
 favorable to their prosperity. Secure in the support of  
 a resolute minority, the Puritan commonwealth, soon  
 1668. after the departure of the commissioners, entered the  
 province, and again established its authority by force  
 of arms. Great tumults ensued ; many persons, opposed

<sup>1</sup> Hutch. Coll. 419.

to what seemed a usurpation, were punished for "irreverent speeches;" some even reproached the authorities of Massachusetts "as traitors and rebels against the king;"<sup>1</sup> but the usurpers maintained their ascendancy till Gorges recovered his claims by adjudication in England. From the southern limit of Massachusetts to the Kennebeck, the colonial government maintained its independent jurisdiction. The agents of the king left not a trace of their presence. Having been recalled, they had retired in angry petulance, threatening the disloyal with retribution and the gallows.

The frowardness of Massachusetts was visited by reproofs from the English monarch; to whom it was well known that "the people of that colony affirmed, his majesty had no jurisdiction over them."<sup>2</sup> It was resolved to transfer the scene of negotiations to England, where Bellingham and Hawthorne were, by a royal mandate, expressly commanded, on their allegiance, to attend, with two or three others, whom the magistrates of Massachusetts were to appoint as their colleagues. Till the final decision of the claims of Gorges, the government of Maine was to continue as the commissioners had left it.

1666.  
April  
10.

The general court was to execute such commands as exceeded the powers of the magistrates; the general court was therefore convened to consider the letter from the king. The morning of the second day was spent in prayer; six elders prayed. The next day, after a lecture, some debate was had; and petitions, proposing compliance with the king, were afterwards forwarded from Boston, Salem, Ipswich, and Newbury.

Sept.  
11.

<sup>1</sup> Extracts from records communicated by George Folsom.

<sup>2</sup> Hutchinson's History, 1. App. xix.

CHAP. "Let some regular way be propounded for the debate,"  
 XII. — said Bellingham, the governor, a man who emphatically  
 1666. hated a bribe.—"The king's prerogative gives him  
 power to command our appearance," said the moderate  
 Bradstreet; "before God and men we are to obey."  
 —"You may have a trial at law," insinuated an artful  
 royalist; "when you come to England, you may insist  
 upon it and claim it."—"We must as well consider  
 God's displeasure as the king's," retorted Willoughby;  
 "the interest of ourselves and of God's things, as his  
 majesty's prerogative; for our liberties are of concern-  
 ment, and to be regarded as to the preservation; for  
 if the king may send for me now, and another to-  
 morrow, we are a miserable people."—"Prerogative is  
 as necessary as law," rejoined the royalist, who per-  
 haps looked to the English court as an avenue to dis-  
 tinction.—"Prerogative is not above law," said the  
 inflexible Hawthorne, ever the advocate of popular  
 liberty.<sup>1</sup> After much argument, obedience was  
 refused. "We have already"—such was the reply of  
 the general court—"furnished our views in writing, so  
 that the ablest persons among us could not declare our  
 case more fully."

This decision of disobedience was made at a time  
 when the ambition of Louis XIV. of France, eager to  
 grasp at the Spanish Netherlands, and united with De  
 Witt by a treaty of partition, had, in consequence of his  
 Dutch alliance, declared war against England. It was  
 on this occasion, that the idea of the conquest of  
 Canada was first distinctly proposed to New England.  
 It was proposed only to be rejected as impossible.  
 "A land march of four hundred miles, over rocky  
 mountains and howling deserts," was too terrible an

<sup>1</sup> Mass. Hist. Coll. xviii. 98.

obstacle. But Boston equipped several privateers, and not without success.<sup>1</sup> CHAP.  
XII.

At the same time, colonial loyalty did not content itself with barren professions; it sent provisions to the English fleet in the West Indies; and to the navy in England, a ship-load of masts; "a blessing, mighty unexpected, and but for which," adds Pepys,<sup>2</sup> "we must have failed the next year." 1666.  
Dec.  
3

The daring defiance of Massachusetts was not followed by immediate danger. The ministry of Clarendon was fallen, and he himself was become an exile; and profligate libertines had not only gained the confidence of the king's mistresses, but places in the royal cabinet. While Charles II. was dallying with women, and robbing the theatre of actresses—while the licentious Buckingham, who had succeeded in displacing Clarendon, wasted the vigor of his mind and body by indulging in every sensual pleasure "which nature could desire or wit invent"—while Louis XIV. was gaining influence in the English cabinet, by bribing the mistress of the chief of the king's cabal—England remained without a good government, and the colonies flourished in purity and peace. The English ministry dared not interfere with Massachusetts; it was right that the stern virtues of the ascetic republicans should have intimidated the members of the profligate cabinet. The affairs of New England were often discussed; but the privy council was overawed by the moral dignity which they could not comprehend. There were great debates, in which the king<sup>3</sup> took part, "in what style to write to New England." Charles himself commended this affair more expressly, because "the colony 1671.  
May  
26

<sup>1</sup> Mass. Hist. Coll. xviii. 109.

<sup>2</sup> Pepys, i. 489.


<sup>3</sup> Evelyn, ii. 343.

CHAP. was rich and strong; able to contest with all other plan-  
 XII. tations about them; "there is fear," said the mon-  
 1671. arch, "of their breaking from all dependence on this  
 nation." "Some of the council proposed a menacing  
 letter, which those who better understood the peevish  
 and touchy humor of that colonie were utterly against."  
 June After many days, it was concluded,<sup>1</sup> "that, if any, it  
 6. should be only a conciliating paper at first, or civil  
 letter; for it was understood they were a people almost  
 upon the very brink of renouncing any dependence  
 upon the crown." "Information of the present face  
 of things was desired," and Cartwright, one of the  
 commissioners, was summoned before the council, to  
 June give "a relation of that country;"<sup>2</sup> but such was the  
 21. picture that he drew, the council were more intimi-  
 dated than ever, so that nothing was recommended  
 Aug. beyond "a letter of amnesty." By degrees, it was  
 3. proposed to send a deputy to New England, under the  
 pretext of adjusting boundaries, but "with secret in-  
 structions to inform the council of the condition of New  
 England; and whether they were of such power as to  
 be able to resist his majesty, and declare for themselves,  
 as independent of the crown." Their strength was  
 reported to be the cause "which of late years made  
 them refractory."<sup>3</sup> What need of many words? The  
 king was taken up by "the childish, simple, and baby-  
 face," of a new favorite;<sup>4</sup> and his traffic of the honor  
 and independence of England to the king of France.  
 The duke of Buckingham, now in mighty favor, was  
 revelling with a luxurious and abandoned rout, having  
 with him the impudent countess of Shrewsbury,  
 and his band of fiddlers; and the discussions at the

<sup>1</sup> Evelyn, ii. 344.<sup>2</sup> Ibid. 345.<sup>3</sup> Ibid. 346; see, also, 358.<sup>4</sup> Ibid. 332. 355.

council about New England, were, for the present, as fruitless as the inquiries how nutmegs and cinnamon CHAP.  
XII. might be naturalized in Jamaica.

Massachusetts prospered by the neglect. "It is," said Sir Joshua Child, in his discourse on trade, "the 1670. most prejudicial plantation of Great Britain; the frugality, industry, and temperance of its people, and the happiness of their laws and institutions, promise them long life, and a wonderful increase of people, riches, and power." They enjoyed the blessings of self-government and virtual independence. The villages of New England were already the traveller's admiration; the acts of navigation were not regarded; no custom-house was established. Massachusetts, which now stretched to the Kennebeck, possessed a widely-extended trade; acting as the carrier for nearly all the colonies, and sending its ships into the most various climes. Vessels from Spain and Italy, from France and Holland, might be seen in Boston harbor; commerce began to pour out wealth on the colonists. A generous nature employed wealth liberally; after the great fire in London, even the miserable in the mother country had received large contributions. It shows the character of the people, that the town of Portsmouth agreed for seven years to give sixty pounds a year to the college, which shared in the prosperity of Boston, and continued to afford "schismatics to the church;" while the colony was reputed to abound in "rebels to the king." Villages extended; prosperity was universal. Beggary was unknown; theft was rare. If "strange new fashions" prevailed among "the younger sort of women," if "superfluous ribbons" were worn on their apparel, at least "musicians by trade, and dancing schools," were not fostered. It





**CHAP.** was still remembered that the people were led into the  
**XII.** wilderness by Aaron, not less than by Moses; and, in spite of the increasing spirit of inquiry and toleration, it was resolved to retain the Congregational churches "in their purest and most athletick constitution."<sup>1</sup>

Amidst the calmness of such prosperity, many of the patriarchs of the colony,—the hospitable, sincere, but  
 1667. persecuting Wilson; the uncompromising Davenport,  
 1670. ever zealous for Calvinism, and zealous for independence, who founded New Haven on a rock, and, having at first preached beneath the shade of a forest tree, now lived to behold the country full of convenient  
 1671. churches; the tolerant Willoughby, who had pleaded  
 1672. for the Baptists; the incorruptible Bellingham, precise in his manners, and rigid in his principles of independence;—these, and others, the fathers of the people, lay down in peace, closing a career of virtue in the placid calmness of hope, and lamenting nothing so much as that their career was finished too soon for them to witness the fulness of New England's glory.

This prosperity itself portended danger; for the increase of the English alarmed the race of red men, who could not change their habits, and who saw themselves deprived of their usual means of subsistence. It is difficult to form exact opinions on the population of the several colonies in this earlier period of their history; the colonial accounts are incomplete; and those which were furnished by emissaries from England are extravagantly false.<sup>2</sup> Perhaps no great error will be committed, if we suppose the white population of New England, in 1675, to have been fifty-five thousand

<sup>1</sup> Hutchinson, i. 251.

<sup>2</sup> The account in Hutch. Coll. 484, has been very often repeated. It is worthless. The population

and wealth of the country are described in hyperboles, that there may be the greater opportunity for obtaining revenues from the colonists.

souls. Of these, Plymouth may have contained not much less than seven thousand; Connecticut nearly <sup>CHAP. XII.</sup> fourteen thousand; Massachusetts proper, more than <sup>1675.</sup> twenty-two thousand; and Maine, New Hampshire, and Rhode Island, each perhaps four thousand. The settlements were chiefly agricultural communities, planted near the sea-side, and stretching along the ocean from New Haven to Pemaquid. The beaver trade, even more than traffic in lumber and fish, had produced the fine settlements beyond the Piscataqua; yet in Maine, as in New Hampshire, there was "a great trade in deal boards." Most of the towns were insulated settlements near the sea, on rivers, which were employed to drive "the saw-mills," then described as a "late invention;" and cultivation had not extended far into the interior. Haverhill, on the Merrimack, was a frontier town; from Connecticut, emigrants had ascended the river as far as the rich meadows of Deerfield and Northfield; but to the west, Berkshire was a wilderness; Westfield was the remotest plantation. Between the towns on Connecticut River, and the cluster of towns near Massachusetts Bay, Lancaster and Brookfield were the solitary settlements of Christians in the desert. The colonies, except Rhode Island, were united; the government of Massachusetts extended to the Kennebeck, and included more than half the population of New England; the confederacy of the colonies had also been renewed, in anticipation of dangers.<sup>1</sup>

The number of the Indians of that day hardly exceeded forty-five or fifty thousand in all New England west of the St. Croix. Of these, ten thousand, it may

<sup>1</sup> Hazard, ii. 511—528.

CHAP. be fifteen thousand,<sup>1</sup> dwelt in the territory of Maine;  
 XII. New Hampshire could hardly have contained four  
 1675. thousand; and Massachusetts, with Plymouth, never  
 from the first peopled by many Indians, had not more  
 than twelve thousand. In Connecticut and Rhode  
 Island, never depopulated by wasting sickness among  
 the natives, the Mohegans, the Narragansetts, the  
 Pokanokets, and kindred tribes, had multiplied their  
 villages round the sea-shore, the inlets, and the larger  
 ponds, which increased their scanty supplies by fur-  
 nishing abundance of fish. Thus, therefore, west of  
 the Piscataqua, there were probably about fifty thousand  
 whites, and not more than thirty-five thousand Indians;  
 while east of the same stream, there were about four  
 thousand whites, and less than fifteen thousand red men.

A sincere attempt had been made to convert the  
 natives, and win them to the regular industry of  
 civilized life. The ministers of the early emigration  
 were fired with a zeal as pure as it was fervent; they  
 longed to redeem these "wrecks of humanity," by  
 planting in their hearts the seeds of conscious virtue,  
 and gathering them into permanent villages.

No pains were spared to teach them to read and  
 write; and, in a short time, a larger proportion of the  
 Massachusetts Indians could do so, than recently of the  
 inhabitants of Russia. Some of them spoke and wrote  
 English tolerably well. Foremost among these early  
 missionaries—the morning star of missionary enter-  
 prise—was John Eliot, whose benevolence almost  
 amounted to the inspiration of genius. An Indian  
 grammar was a pledge of his earnestness; the pledge  
 was redeemed by his preparing and publishing a trans-

<sup>1</sup> Williamson gives many more. I think 15,000 the largest safe estimate.

lation of the whole Bible into the Massachusetts dialect. His actions, his thoughts, his desires, all wore the hues of disinterested love. His uncontrollable charity welled out in a perpetual fountain. CHAP.  
XII.

Eliot mixed with the Indians. He spoke to them of God, and of the soul, and explained the virtues of self-denial. He became their lawgiver. He taught the women to spin, the men to dig the ground; he established for them simple forms of government; and, in spite of menaces from their priests and chieftains, he instructed them in his own religious faith, and not without success. Groups of Indians used to gather round him as round a father, and, now that their minds were awakened to reflection, often perplexed him with their questions. The minds of the philosopher and the savage are not so wide apart as is often imagined; they both alike find it difficult to solve the problem of existence. The world is divided between materialists and spiritualists. "What is a spirit?" said the Indians of Massachusetts to their apostle. "Can the soul be inclosed in iron so that it cannot escape?"—"When Christ arose, whence came his soul?" Every clan had some vague conceptions of immortality.<sup>1</sup> "Shall I know you in heaven?" said an inquiring red man. "Our little children have not sinned; when they die, whither do they go?"—"When such die as never heard of Christ, where do they go?"—"Do they in heaven dwell in houses, and what do they do?"—"Do they know things done here on earth?" The origin of moral evil has engaged the minds of the most subtle. "Why," demanded the natives on the banks of the Charles, "why did not God give all men good hearts?"—"Since God is all-powerful, why did not God kill

<sup>1</sup> Day-breaking, if not Sun-rising, of the Gospel, 7.

CHAP. the devil, that made men so bad?" Of themselves  
 XII. they fell into the mazes of fixed decrees and free will.

"Doth God know who shall repent and believe, and who not?" The statesman might have hesitated in his answers to some problems. The ballot-box was to them a mystery. "When you choose magistrates, how do you know who are good men, whom you dare trust?" And again, "If a man be wise, and his sachem weak, must he yet obey him?" Cases of casuistry occurred; I will cite but two, one of which, at least, cannot easily be decided. Eliot preached against polygamy. "Suppose a man, before he knew God," inquired a convert, "hath had two wives; the first childless, the second bearing him many sweet children, whom he exceedingly loves; which of these two wives is he to put away?" And the question which Kotzebue proposed in a fiction, that has found its way across the globe, was in real life put to the pure-minded Eliot, among the wigwams of Nonantum. "Suppose a squaw desert and flee from her husband, and live with another distant Indian, till, hearing the word, she repents, and desires to come again to her husband, who remains still unmarried; shall the husband, upon her repentance, receive her again?" The poet of civilization tells us that happiness is the end of our being. "How shall I find happiness?" demanded the savage.<sup>1</sup> And Eliot was never tired with this importunity; the spirit of humanity sustained him to the last; his zeal was not wearied by the hereditary idleness of the race; and his simplicity of life and manners, and evangelical sweetness of temper, won for

<sup>1</sup> Day-breaking, &c. 18. Clear Light appearing more and more, Sunshine of the Gospel, 13. 24. 33, 25, 26, 27. 29, 30. See the tracts 34. Glorious Progress, 20. The collected in Mass. Hist. Coll. xxiv.

him all hearts, whether in the villages of the emigrants, or "the smoaky cells" of the natives. CHAP.  
XII.

Nor was Eliot alone. In the islands round Massachusetts, and within the limits of the Plymouth patent, missionary zeal and charity were active; and "that young New England scholar," the gentle Mayhew, forgetting the pride of learning, endeavored to win the natives to a new religion. At a later day, he took passage for England to awaken interest there; and the ship in which he sailed was never more heard of. But such had been the force of his example, that his father, though bowed down by the weight of seventy years, resolved on assuming the office of the son whom he had lost, and, till beyond the age of fourscore years and twelve, continued to instruct the natives of the isles; and with the happiest results. The Indians within his influence, though twenty times more numerous than the whites in their immediate neighborhood, preserved an immutable friendship with Massachusetts.<sup>1</sup>

Thus churches were gathered among the heathen; villages of "praying Indians" established; at Cambridge an Indian actually became a bachelor of arts. 1665. Yet Christianity hardly spread beyond the Indians on Cape Cod, Martha's Vineyard, and Nantucket, and the seven feeble villages round Boston. The Narragansetts, a powerful tribe, counting at least a thousand warriors,<sup>2</sup> hemmed in between Connecticut and Plymouth, restless and jealous, retained their old belief; and Philip of Pokanoket, at the head of seven hundred warriors, professed with pride the faith of his fathers.

<sup>1</sup> See Mayhew's Indian Converts, and, at the end of it, T. Prince's Account of English ministers, &c. &c. Compare Neal's N. E.; Mather,

b. vi. c. vi.; Gookin's Praying Indians, MS.

<sup>2</sup> Gookin says a thousand; others more.

CHAP. But Philip of Pokanoket, and the tribes that owned  
XII. his influence, were now shut in by the gathering  
1675. plantations of the English, and were the first to awaken  
to a sense of the danger of extermination. True,  
the inhabitants of New England had never, except in  
the territory of the Pequods, taken possession of a foot<sup>1</sup>  
of land without first obtaining a title from the Indians.  
But the unlettered savage, who repented the alienation  
of vast tracts, by affixing a shapeless mark to a bond,  
might deem the English tenure defeasible. Again :  
By repeated treaties, the red man had acknowledged  
the jurisdiction of the English, who claimed a guardian-  
ship over the Indian, and really endeavored in their  
courts, with scrupulous justice, and even with favor,  
to protect him from fraud, and to avenge his wrongs.  
But the wild inhabitants of the woods or the sea-shore  
could not understand the duty of allegiance to an  
unknown sovereign, or acknowledge the binding force  
of a political compact ; crowded by hated neighbors,  
losing fields and hunting-grounds, and frequently sum-  
moned to Boston or Plymouth, to reply to an accusa-  
tion, or to explain their purposes, they sighed for the  
forest freedom, which was to them more dear than  
constitutional liberties to the civilized, and which had  
been handed down to them from immemorial ages.

The clans within the limits of the denser settlements  
of the English, especially the Indian villages round  
Boston, were broken-spirited, from the overwhelming  
force of the English. In their rude blending of new  
instructions with their ancient superstitions—in their  
feeble imitations of the manners of civilization—in their  
appeals to the charities of Europeans—they had

<sup>1</sup> Winslow, in Hubbard's Indian Wars, 55.

quenched the fierce spirit of savage independence. They loved the crumbs from the white man's table.

CHAP.  
XII.  
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But the Pokanokets had always rejected the Christian faith and the Christian manners; and Massasoit had desired to insert in a treaty,¹ what the Puritans never permitted, that the English should never attempt to convert the warriors of his tribe from the religion of their race. The aged Massasoit—he who had welcomed the Pilgrims to the soil of New England, and had opened his cabin to shelter the founder of Rhode Island—now slept with his fathers; and his son, Philip of Pokanoket, had succeeded him as chief over allied tribes. Repeated sales of land had narrowed their domains; and the English had artfully crowded them into the tongues of land, as “most suitable and convenient for them.”² There they could be more easily watched; for the frontiers of the narrow peninsulas were inconsiderable. Thus the two chief seats of the Pokanokets were the necks of land, which we now call Bristol and Tiverton. As population pressed upon other savages, the west was open; but as the English villages drew nearer and nearer to them, their hunting-grounds were put under culture; and as the ever-urgent importunity of the English was quieted but for a season by partial concessions from the unwary Indians, their natural parks were turned into pastures; their best fields for planting corn were gradually alienated; their fisheries were impaired by more skillful methods; and, as wave after wave succeeded, they found themselves deprived of their broad acres, and, by their own legal contracts, driven as it were into the sea.

Collisions and mutual distrust were the necessary

¹ Hubbard, 47.

² Winslow avows the policy.

CHAP. consequence. I can find no evidence of a deliberate
 XII. conspiracy on the part of all the tribes. The com-
 ~~~~~ mencement of war was accidental ; many of the Indians  
 were in a maze, not knowing what to do, and ready  
 to stand for the English ;<sup>1</sup> sure proof of no ripened  
 conspiracy. But to many tribes there were common  
 griefs ; they had the same recollections, and the same  
 fears ; and, when they met, could not but complain of  
 their common lot. When the young warriors came  
 together, how could they fail to regret the ancient  
 domains of their fathers ? Their haughty spirit spurned  
 the English claim of jurisdiction ; and they were indig-  
 nant, that Indian chiefs or warriors should be arraigned  
 before a jury. And what, in their eyes, were paper  
 deeds, the seals and signatures, of which they could not  
 comprehend the binding force ? And when the ex-  
 pressions of common passion were repeated by an  
 Indian talebearer, fear magnified the plans of the  
 tribes into an organized scheme of resistance.

The haughty chieftain, who had once before been  
 compelled to surrender his "English arms," and pay  
 1674. an onerous tribute, was summoned to submit to an  
 examination, and could not escape suspicion. The  
 wrath of his tribe was roused, and the informer was  
 murdered. The murderers in their turn were iden-  
 1675. tified, seized, tried by a jury, of which one half were  
 June. Indians, and, on conviction, were hanged. The young  
 men of the tribe panted for revenge ; without delay eight  
 June or nine of the English were slain in or about Swansey ;  
 24. and the alarm of war spread through the colonies.

Thus was Philip hurried into "his rebellion ;" and  
 he is reported to have wept<sup>2</sup> as he heard that a white

<sup>1</sup> Hubbard, 56.

<sup>2</sup> Callender's Century Sermon.

man's blood had been shed.<sup>1</sup> He had kept his men about him in arms, and had welcomed every stranger ; and now, against his judgment and his will, he was involved in war. For what prospect had he of success ? Destiny had marked him and his tribe. The English were united ; the Indians had no alliance ;—the English made a common cause ; half the Indians were allies of the English, or were quiet spectators of the fight ;—the English had guns enough ; but few of the Indians were well armed, and they could get no new supplies ;—the English had towns for their shelter and safe retreat ; the miserable wigwams of the natives were defenceless ;—the English had sure supplies of food ; the Indians might easily lose their precarious stores. The individual, growing giddy by danger, rushes, as it were, towards his fate ; so did the Indians of New England. Frenzy prompted their rising. It was but the storm in which the ancient inhabitants of the land were to vanish away. They rose without hope, and, therefore, they fought without mercy. For them as a nation, there was no to-morrow.

The minds of the English were appalled by the horrors of the impending conflict, and superstition indulged in its wild inventions. At the time of the eclipse of the moon, you might have seen the figure of an Indian scalp imprinted on the centre of its disk. The perfect form of an Indian bow appeared in the sky. The sighing of the wind was like the whistling

<sup>1</sup> The authorities on King Philip's war are, *Present State of N. E.*, and four other Tracts, first published in 1675 and 1676, and now, in 1833 and 1836, reprinted by S. G. Drake ; Increase Mather's *Hist. of Troubles with the Indians* ; Hubbard's *Indian Wars* ; Church's *Hist. of King Philip's War* ; Records of United Colonies, in Hazard, vol. ii. ; Anne Rowlandson's *Captivity* ; Wheeler's *Narrative*, in *New Hamp. Hist. Coll.* ii. 5, &c. ; Gookin, in *1 Mass. Hist. Coll.* i. 148, &c. ; *Massachusetts Records and Files*. Add Callender's *Century Sermon* ; the important notes of Davis on Morton.

CHAP. of bullets. Some distinctly heard invisible troops of  
 XII. horses gallop through the air, while others found the  
 1675. prophecy of calamities in the howling of the wolves.<sup>1</sup>

At the very beginning of danger, the colonists exerted their wonted energy. Volunteers from Massachusetts joined the troops from Plymouth; and within a week from the commencement of hostilities, the insulated Pokanokets were driven from Mount Hope, and in less than a month, Philip was a fugitive among the Nipmucks, the interior tribes of Massachusetts. The little army of the colonists then entered the territory of the Narragansetts, and from the reluctant tribe extorted a treaty of neutrality, with a promise to deliver up every hostile Indian. Victory seemed promptly assured. But it was only the commencement of horrors. Canonchet, the chief sachem of the Narragansetts, was the son of Miantonomoh; and could he forget his father's wrongs? And would the tribes of New England permit the nation that had first given a welcome to the English to perish unavenged? Desolation extended along the whole frontier. Banished from his patrimony, where the pilgrims found a friend, and from his cabin, which had sheltered the exiles, Philip, with his warriors, spread through the country, awakening their brethren to a warfare of extermination.

June  
29.

The war, on the part of the Indians, was one of ambushes and surprises. They never once met the English in open field; but always, even if eightfold in numbers, fled timorously before infantry. But they were secret as beasts of prey, skilful marksmen, and in part provided with fire-arms, fleet of foot, conversant with all the paths of the forest, patient of fatigue and

<sup>1</sup> C. Mather, ii. 486. I. Mather, 34. Hubbard, 120.

mad with a passion for rapine, vengeance, and destruction, retreating into swamps for their fastnesses, or hiding in the greenwood thickets, where the leaves muffled the eyes of the pursuer. By the rapidity of their descent, they seemed omnipresent among the scattered villages, which they ravaged like a passing storm; and for a full year they kept all New England in a state of terror and excitement. The exploring party was waylaid and cut off, and the mangled carcasses and disjointed limbs of the dead were hung upon the trees to terrify pursuers. The laborer in the field, the reapers as they went forth to the harvest, men as they went to mill, the shepherd's boy among the sheep, were shot down by skulking foes, whose approach was invisible. Who can tell the heavy hours of woman? The mother, if left alone in the house, feared the tomahawk for herself and children; on the sudden attack, the husband would fly with one child, the wife with another, and, perhaps, one only escape; the village cavalcade, making its way to meeting on Sunday, in files on horseback, the farmer holding the bridle in one hand, and a child in the other, his wife seated on a pillion behind him, it may be with a child in her lap, as was the fashion in those days, could not proceed safely; but, at the moment when least expected, bullets would come whizzing by them, discharged with fatal aim from an ambuscade by the way-side. The forest, that protected the ambush of the Indians, secured their retreat. They hung upon the skirts of the English villages, "like the lightning on the edge of the clouds."<sup>1</sup>

What need of repeating the same tale of horrors? Brookfield was set on fire, and rescued only to be abandoned; Deerfield was burned; Hadley, surprised

CHAP.  
XII.  
1675.

Aug.  
2.  
Sept. 1.

<sup>1</sup> Washington Irving.

CHAP. during a time of religious service, was saved only by the  
 XII. daring of Goffe, the regicide, now bowed with years,  
 1675. a heavenly messenger of rescue, who darted from his  
 hiding-place, rallied the disheartened, and, having  
 achieved a safe defence, sunk away into his retire-  
 ment, to be no more seen. The plains of Northfield  
 Sept. were wet with the blood of Beers, and twenty of his  
 valiant associates. As Lathrop's company of young  
 men, the very flower of the young men of Essex, all  
 "culled" out of the towns of that county, were con-  
 Sept. 18. veying the harvests of Deerfield to the lower towns,  
 they were suddenly surrounded by a horde of Indians;  
 and, as each party fought from behind trees, the victory  
 was with the far more numerous savages. Hardly a  
 white man escaped; the little stream that winds  
 through the tranquil scene, by its name of blood, com-  
 memorates the massacre of that day.<sup>1</sup> Springfield was  
 Oct. burned, and Hadley once more assaulted. The re-  
 moter villages were deserted; the pleasant residences,  
 that had been won by hard toil in the desert, the  
 stations of civilization in the wilderness, were laid  
 waste.

But the English were not the only sufferers. In  
 winter, it was the custom of the natives to dwell  
 together in their wigwams; in spring, they would be  
 dispersed through the woods. In winter, the warriors  
 who had spread misery through the west, were shel-  
 tered among the Narragansetts; in spring, they would  
 renew their devastations. In winter, the absence of  
 foliage made the forests less dangerous; in spring,  
 every bush would be a hiding-place. It was resolved  
 to regard the Narragansetts as enemies; and a little  
 Dec. 18. before the winter solstice, a thousand men, levied by

<sup>1</sup> See the names in note to E. Everett's Address at Bloody Brook, 37.

the united colonies, and commanded by the brave Josiah Winslow, a native New England man, invaded their territory. After a night spent in the open air, they waded through the snow from day-break till an hour after noon ; and at last reached the cluster of wigwams which a fort protected. Davenport, Gardner, Johnson, Gallop, Siely, Marshall, led their companies through the narrow entrance in the face of death, and left their lives as a testimony of their patriotism and courage. But victory was with the white men ; nothing could check their determined valor ; and the group of Indian cabins was set on fire. Thus were swept away the humble glories of the Narragansetts ; the winter's stores of the tribe, their curiously-wrought baskets, full of corn, their famous strings of wampum, their wigwams nicely lined with mats,—all the little comforts of savage life were consumed. And more—their old men, their women, their babes, perished by hundreds in the fire.

CHAP.  
XII.  
1675.  
Dec.  
19.

Then, indeed, was the cup of misery full for these red men. Without shelter and without food, they hid themselves in a cedar swamp, with no defence against the cold but boughs of evergreen trees. They prowled the forests and pawed up the snow, to gather nuts and acorns ; they dug the earth for ground-nuts ; they ate remnants of horse-flesh as a luxury ; they sunk down from feebleness and want of food. Winter and famine, and disease consequent on vile diet, were the allies of the English ; while the English troops, after much severe suffering, found their way to firesides.

The spirit of Canonchet did not droop under the disasters of his tribe. " We will fight to the last man," said the gallant chieftain, " rather than become servants to the English." Taken prisoner at last, near

April.

CHAP. the Blackstone, a young man began to question him.  
 XII. “Child,” replied he, “you do not understand war; I  
 1676. will answer your chief.” His life was offered him, if  
 he would procure a treaty of peace; he refused the  
 offer with disdain. “I know,” added he, “the Indians  
 will not yield.” Condemned to death, he only an-  
 swered, “I like it well; I shall die before I speak any  
 thing unworthy of myself.”

Meantime the Indian warriors were not idle. “We  
 will fight,” said they, “these twenty years; you have  
 houses, barns, and corn; we have now nothing to  
 lose;” and one town in Massachusetts after another—  
 Lancaster, Medfield, Weymouth, Groton, Marlborough  
 —were laid in ashes.

No where was there more distress than at Lancaster.  
 Forty-two persons sought shelter under the roof of  
 Mary Rowlandson; and, after a hot assault, the  
 Indians succeeded in setting the house on fire. Will  
 the mothers of the United States, happy in the midst  
 of unexampled prosperity, know the sorrows of woman  
 in a former generation? “Quickly,” writes Mary  
 Rowlandson, “it was the dolefullest day that ever mine  
 eyes saw. Now the dreadful hour is come. Some in  
 our house were fighting for their lives; others wallow-  
 ing in blood; the house on fire over our heads, and the  
 bloody heathen ready to knock us on the head, if we  
 stirred out. I took my children to go forth; but the  
 Indians shot so thick, that the bullets rattled against  
 the house, as if one had thrown a handful of stones.  
 We had six stout dogs, but none of them would stir.  
 \* \* \* The bullets flying thick, one went through my  
 side, and through my poor child in my arms.” The  
 brutalities of an Indian massacre followed; “there  
 remained nothing to me,” she continues, now in cap-

tivity, "but one poor wounded babe. Down I must sit in the snow, with my sick child, the picture of death, in my lap. Not the least crumb of refreshing came within either of our mouths from Wednesday night to Saturday night, except only a little cold water. \* \* \* One Indian, and then a second, and then a third, would come and tell me, Your master will quickly knock your child on the head. This was the comfort I had from them; miserable comforters were they all."<sup>1</sup>

Nor were such scenes of ruin confined to Massachusetts. At the south, the whole Narragansett country was deserted by the English. Warwick was burned; Providence was attacked and set on fire. There was no security but to seek out the hiding-places of the natives, and destroy them by surprise. On the banks of the Connecticut, just above the Falls that take their name from the gallant Turner, was an encampment of large bodies of hostile Indians; a band of one hundred and fifty volunteers, from among the yeomanry of Springfield, Hadley, Hatfield, and Northampton, led by Turner and Holyoke, making a silent march in the dead of night, came at day-break upon the wigwams. The Indians are taken by surprise; some are shot down in their cabins; others rush to the river, and are drowned; others push from shore in their birchen canoes, and are hurried down the cataract.

As the season advanced, the Indians abandoned every hope. Their forces were wasted; they had no fields that they could plant. Such continued warfare without a respite was against their usages. They began, as the unsuccessful and unhappy so often do, to quarrel among themselves; recriminations ensued;

CHAP.  
XII.  
1676.

May  
19.

<sup>1</sup> M. Rowlandson's Narrative. 12—25.



CHAP. those of Connecticut charged their sufferings upon  
XII. Philip; and those who had been his allies, became  
1676. suppliants for peace. Some surrendered to escape  
starvation. In the progress of the year, between two  
and three thousand Indians were killed or submitted.  
Church, the most famous partisan warrior, went out to  
hunt down parties of fugitives. Some of the tribes  
wandered away to the north, and were blended with  
the tribes of Canada. Did they there nourish the  
spirit of revenge, and remember their ancient haunts,  
that they might one day pilot fresh hordes of invaders  
from the north, to renew the work of devastation?  
Philip himself, a man of no ordinary elevation of char-  
acter, was chased from one hiding-place to another.  
He had vainly sought to engage the Mohawks in the  
contest; now that hope was at an end, he still refused  
to hear of peace, and struck dead the warrior who  
proposed it. At length, after the absence of a year,  
he resolved, as it were, to meet his destiny; and  
returned to the beautiful land where were the graves  
of his forefathers, the cradle of his infancy, and the  
nestling-place of his tribe. Once he escaped narrowly,  
Aug. 3. leaving his wife and only son as prisoners. "My heart  
breaks," cried the tattooed chieftain, in the agony of  
his grief; "now I am ready to die." His own follow-  
ers began to plot against him, to make better terms for  
themselves, and in a few days he was shot by a faithless  
Indian. The captive orphan was transported. So per-  
ished the princes of the Pokanokets. Sad to them had  
been their acquaintance with civilization. The first ship  
that came on their coast, kidnapped men of their kin-  
dred; and now the harmless boy, that had been cher-  
ished as an only child, and the future sachem of their  
tribes, the last of the family of Massasoit, was sold into

bondage, to toil as a slave <sup>1</sup> under the suns of Bermuda. Of the once prosperous Narragansetts, of old the chief tribe of New England, hardly one hundred men remained. The sword, fire, famine, and sickness, had swept them from the earth.

CHAP.  
XII.  
1676.

During the whole war, the Mohegans remained faithful to the English; and not a drop of blood was shed on the happy soil of Connecticut. So much the greater was the loss in the adjacent colonies. Twelve or thirteen towns were destroyed; the disbursements and losses equalled in value half a million of dollars—an enormous sum for the few of that day. More than six hundred men, chiefly young men, the flower of the country, of whom any mother might have been proud, perished in the field. As many as six hundred houses were burned. Of the able-bodied men in the colony, one in twenty had fallen; and one family in twenty had been burnt out. The loss of lives and property was, in proportion to numbers, as distressing as in the revolutionary war. There was scarcely a family from which death had not selected a victim.

Let us not forget a good deed of the generous Irish; they sent over a contribution, small, it is true, to relieve in part the distresses of Plymouth colony. Connecticut, which had contributed soldiers to the war, now furnished the houseless with more than a thousand bushels of corn. "God will remember and reward that pleasant fruit." Boston imitated the example, for "the grace of Christ," it was said, "always made Boston exemplary" in works of that nature.

The eastern hostilities with the Indians had a different origin, and were of longer continuance. The news of the rising of the Pokanokets was, indeed, the

<sup>1</sup> Davis, in Morton, 453, &c.

CHAP. XII. signal for the commencement of devastations ; and, within a few weeks, the war extended over a space of 1676. nearly three hundred miles. But in Maine it was a border warfare, growing out of a consciousness of wrongs, and a thirst for revenge. Sailors had committed outrages, and the Indians avenged the crimes of a corrupt ship's crew on the villages. There was no general rising of the Abenakis, or Eastern tribes, no gatherings of large bodies of men. Of the English settlements nearly one half were destroyed in detail ; the inhabitants were either driven away, killed, or carried into captivity ; for covetousness sometimes provoked to mercy, by exciting the hope of a ransom.

Aug. 11. The escape of ANNE BRACKETT, grand-daughter of George Cleeves, the first settler of Portland, was the marvel of that day. Her family had been taken captives at the sack of Falmouth. When her captors hastened forward to further ravages on the Kennebeck, she was able to loiter behind ; the keen eye of the mother discerned the wreck of a tattered birchen bark, which, with needle and thread from a deserted house, she patched and darned ; then, with her husband, a negro servant, and her infant child, she trusted herself to the sea in the ragged canoe, which had neither sail nor mast, and was like a feather on the waves. She crossed Casco Bay, and, arriving at Black Point, where she feared to find Indians, and at best could only have hoped to find a solitude, how great was her joy, as she discovered a vessel from Piscataqua, that had just sought an anchoring-place in the harbor !<sup>1</sup>

The surrender of Acadia to the French had made the struggle more arduous ; for the Eastern Indians

<sup>1</sup> Hubbard's Indian Wars, 234. Compare Church, 166. MS. Letters Willis's Portland, i. 143, 147, 153. from Willis and Farmer.

obtained supplies of arms from the French on the Penobscot. To defeat the savage enemy effectually, the Mohawks were invited to engage in the war; a few of them took up the hatchet: but distance rendered coöperation impossible. After several fruitless attempts at treaties, peace was finally established by Andros as governor of Pemaquid, but on terms which acknowledged the superiority of the Indians. On their part, the restoration of prisoners and the security of English towns were stipulated; in return, the English were to pay annually, as a quit-rent, a peck of corn for every English family.<sup>1</sup>

CHAP.  
XII.

1677.

1678.  
April  
12.

The defence of New England had been made by its own resources. Jealous of independence, it never applied to the parent country for assistance; and the earl of Anglesey reproached the people with their public spirit. "You are poor," said he, "and yet proud." The English ministry, contributing nothing to repair colonial losses, made no secret of its intention to "reassume the government of Massachusetts into its own hands;"<sup>2</sup> and, before a single season had effaced the traces of the blood of her sons, while the ground was still wet with the blood of her yeomanry, the wrecks of her villages were still smoking, and the Indian war-cry was yet ringing in the forests of Maine, Edward Randolph, the English emissary, arrived in New England.

June  
10.

The messenger and message were received with coldness. The governor avowed ignorance of the officer whose signature was affixed to the letter from the king, and denied the right of the king, or of parliament, to bind the colony by laws adverse to its

<sup>1</sup> Williamson, i. 553. Neal's  
N. E. &c. &c.

<sup>2</sup> Burk's Virginia, ii. Appendix,  
xxxvii.

CHAP. interests. "The king," said the honest Leverett,  
 XII. "can in reason do no less than let us enjoy our liberties  
 1676. and trade, for we have made this large plantation in  
 the wilderness at our own charge, without any con-  
 tribution from the crown."

Randolph, at once the agent for Mason, and the messenger from the privy council, belonged to that class of hungry adventurers with whom America ultimately became so familiar. His zeal led him, in the course of nine years, to make eight voyages to America; and now, on his return to England, after a residence of but six weeks in the New World, that he might excite the office-seekers in the court of Charles II., he exaggerated the population of the country four-fold, and its wealth in a still greater proportion. His statements deserve little confidence;<sup>1</sup> yet they made the English ministry more eager to narrow the territory, cripple the trade, and recall the charter of Massachusetts.

The colony, reluctantly yielding to the direct commands of Charles II., resolved to send William Stoughton and Peter Bulkley as envoys to England; but, agreeably to the advice of the elders, their powers were circumscribed "with the utmost care and caution."

In their memorial respecting the extent of their territory, the court represented their peculiar unhappiness, to be required, at one and the same time, to maintain before courts of law a title to the provinces, and to dispute with a savage foe the possession of dismal deserts.

1677. Remonstrance was of no avail. A committee of the privy council, which examined all the charters, refused

<sup>1</sup> Hutch. Coll. 503, &c. &c. Hutch. Hist. i. 280, &c.

to decide on the claims of the resident settlers to the land which they occupied, but denied to Massachusetts the right of jurisdiction over Maine and New Hampshire. The decision was so manifestly in conformity with English law, that the colonial agents attempted no serious defence.

CHAP.  
XII.  
1677.

The provinces being thus severed from the government of Massachusetts, King Charles was willing to secure them as an appanage for his reputed son, the kind-hearted, but worthless duke of Monmouth, the Absalom of that day, whose weakness was involved in a dishonest opposition to his father, and whom frivolous ambition at last conducted to the scaffold. It was thought that the united provinces would furnish a noble principality with an immediate and increasing revenue. But before the monarch, whom extravagance had impoverished, could resolve on a negotiation, Massachusetts, through the agency of a Boston merchant, obtained possession of the claims of Gorges, by a purchase and regular assignment. The price paid was £1250—about six thousand dollars.

May  
6.

It was never doubted that a proprietary could alienate the soil; it was subsequently questioned whether the rights of government could be made a subject of traffic.

This assignment was the cause of a series of relations, which, in part, continue to the present day. In a pecuniary point of view, no transaction could have been for Massachusetts more injurious; for it made her a frontier state, and gave her the most extensive and most dangerous frontier to defend.

But Massachusetts did not, at this time, come into possession of the whole territory which now constitutes the state of Maine. France, under the treaty

CHAP. of Breda, claimed and occupied the district from St.  
 XII. Croix to the Penobscot; the duke of York held the tract between the Penobscot and the Kennebeck, claiming, indeed, to own the whole tract between the Kennebeck and the St. Croix; while Massachusetts was proprietary only of the district between the Kennebeck and the Piscataqua.

A novel form of political institution ensued. Massachusetts, in her corporate capacity, was become the lord proprietary of Maine; the little republic on the banks of the Charles was the feudal sovereign of this eastern lordship. Maine had thus far been represented in the Massachusetts house of representatives; henceforward she was to be governed as a province, according to the charter to Gorges. In obedience to an ordinance of the general court, the governor and  
 1680. assistants of Massachusetts proceeded to organize the government of Maine. The president and council were appointed by the magistrates of Massachusetts; at the same time, a popular legislative branch was established, composed of deputies from the several towns in the district. Danforth, the president, was a man of worth and republican principles; yet the pride of the province was offended by its subordination; the old religious differences had not lost their influence; and royalists and churchmen prayed for the interposition of the king.<sup>1</sup> Massachusetts was compelled to employ force to assert its sovereignty, which, nevertheless, was exercised with moderation and justice.<sup>2</sup>

<sup>1</sup> Sullivan's Maine, 384. Williamson, i. 557, &c. Hutch. Coll. Mass. Records, iv. been mentioned in the original grant." An assembly was regularly held. Williamson's Maine, i. 566, &c. The reason assigned is as unfounded as the statement in Chalmers. In the grant of 1639, the assent of the majority of the free-

<sup>2</sup> Chalmers, 488: "No assembly, of which the representatives of the people composed a constituent part, was allowed, because none had

The change of government in New Hampshire was less quietly effected. On the first apprehension that the claim of Mason would be revived, the infant people, assembling in town-meetings, expressed their content with the government of Massachusetts. .

But the popular wish availed little in the decision of a question of law; the patent of Mason was duly investigated in England; it was found that he had no right to jurisdiction over New Hampshire; the unappropriated lands were allowed to belong to him; but the rights of the settlers to the soil which they actually occupied, were reserved for litigation in colonial courts.<sup>1</sup>

To further that end, a new jurisdiction was established; New Hampshire was separated from Massachusetts, and organized as a royal province. It was the first royal government ever established in New England. The king, reserving a negative voice to himself and his officers, engaged to continue the privilege of an assembly, unless he or his heirs should deem that privilege "an inconvenience."

The persons first named by the king to the offices of president and council, were residents of the colony, and friends to the colonists; but, perceiving that their appointment had no other object than to render the transition to a new form of government less intolerable, they accepted office reluctantly.

At length a general assembly was convened at Portsmouth. Its letter<sup>2</sup> to Massachusetts is a testimony of its gratitude. "We acknowledge your care for us,"—it was thus that the feeble colony addressed its more

holders is required for all acts of legislation. Hazard, i. 445. It is true, the proprietary supremacy of Massachusetts was unpalatable to many. Willis's Portland, i. 138.

Maine Hist. Collections, i. 302.

<sup>1</sup> Compare Letter of King Charles, in Mass. Hist. Coll. xxi. 72.

<sup>2</sup> Adams's Portsmouth, 65—67. Belknap.



CHAP. powerful neighbor,—“ we thankfully acknowledge your  
 XII. kindness, while we dwelt under your shadow, owning  
 1680. ourselves deeply obliged that, on our earnest request,  
 you took us under your government, and ruled us well.  
 If there be opportunity for us to be any wise service-  
 able to you, we shall show how ready we are to em-  
 brace it. Wishing the presence of God to be with  
 you, we crave the benefit of your prayers on us, who  
 are separated from our brethren.”

The claims of affection having been acknowledged, the colony proceeded to assert its rights by a solemn decree, the first in their new code ; “ No act, imposition, law, or ordinance, shall be valid, unless made by the assembly and approved by the people.” Thus did New Hampshire seize the earliest moment of independent existence, to express the great principle of self-government, and take her place by the side of Massachusetts and Virginia. When the code of the infant government was transmitted to England, it was disapproved both for style and matter ; and its provisions were rejected as incongruous and absurd. Nor was Mason successful in establishing his claims to the soil. The colonial government protected the colonists, and restrained his exactions.

Hastening to England to solicit a change, the proprietary was allowed to make such arrangement as promised auspicious results to his own interests. The scenes that occurred are instructive. Mason, a party in suits to be commenced, was authorized to select the person to be appointed governor. He found a fit agent in Edward Cranfield, a man who had no object in banishing himself to the wilds of America, but to wrest a fortune from the sawyers and lumber-dealers of New Hampshire. He avowed his purpose openly ;

and the moral tone of that day esteemed it no dishonor. But he insisted on good security. By a deed enrolled in chancery, Mason surrendered to the king one fifth part of all quit-rents, for the support of the governor, and gave to Cranfield a mortgage of the whole province for twenty-one years, as collateral security for the payment of his salary. Thus invested with an ample royal commission,<sup>1</sup> with the promise of a fixed salary, a fifth of all quit-rents, a mortgage of the province, and the exclusive right to the anticipated abundant harvest of fines and forfeitures, Cranfield deemed his fortune secure, and, relinquishing a profitable employment in England, embarked for the banks of the Piscataqua.

CHAP.  
XII.1682.  
Jan.  
25.

But the first assembly which he convened dispelled all his golden visions of an easy acquisition of fortune. To humor the governor, the "rugged" legislators voted him a gratuity of two hundred and fifty pounds, which the needy adventurer greedily accepted; but they would not yield their liberties; and the governor in anger dissolved the assembly.

Nov.  
14.1683.  
Jan.  
20.

The dissolution of an assembly was a novel procedure in New England. Such a thing had till now been unheard of. Popular discontent became extreme; and a crowd of rash men raised the cry for "liberty and reformation." The leader, Edward Gove, an unlettered enthusiast, was confined in irons, and condemned to the death that barbarous laws denounced against treason, and, having been transported to England, was for three years kept a prisoner in the tower of London.

The lawsuits about land were multiplied. Packed juries and partial judges settled questions rapidly; but

<sup>1</sup> Mass. Hist. Coll. v. 232.

CHAP. Mason derived no benefit from a decision in his favor ;  
 XII.  
 ~~~~~  
 1683. for he could neither get possession of the estates, nor
 find a purchaser.

Meantime, Cranfield, with a subservient council, began to exercise powers of legislation ; and, like a greedy tenant whose lease is expiring, he still hoped to amass a fortune by taxes and arbitrary fees of office. Did the towns privately send an agent to England, Cranfield would tolerate no complaints ; and Vaughan, who had been active in obtaining depositions, was required to find securities for good behavior. He refused, declaring that he had broken no law ; and the governor immediately imprisoned him.

1684. Cranfield still sighed for money ; and now stooping to falsehood, and hastily calling an assembly, on a vague
 Jan. rumor of an invasion, he demanded a sudden supply of
 14. the means of defence. The representatives of New Hampshire would not be hastened ; they took time to consider ; and, after debate, they negatived the bill which the governor had prepared.

Cranfield next resolved to intimidate the clergy, and forbade the usual exercise of church discipline. In Portsmouth, Moody, the minister, replied to his threats by a sermon, and the church was inflexible.

Cranfield next invoked the aid of the ecclesiastical laws of England, which he asserted were in force in the colony. The people were ordered to keep Christmas as a festival, and to fast on the thirtieth of January. But the capital stroke of policy was an order, that all persons should be admitted to the Lord's supper as freely as in the Episcopal or Lutheran church, and that the forms of the English liturgy should in certain cases be adopted. The order was disregarded.

That nothing might be wanting, the governor himself appointed a day, on which he claimed to receive the elements at the hands of Moody, after the forms of the English church. Moody refused; was prosecuted, condemned, and imprisoned. Religious worship was almost entirely broken up in the colony. But the people did not yield; and Cranfield, vexed at the stubbornness of the clergy, gave information in England, that, "while the clergy were allowed to preach, no true allegiance could be found."¹ It had long been evident, "there could be no quiet, till the factious preachers were turned out of the province."

CHAP.
XII.
1684.

One more attempt was made to raise an income, by means of taxes, imposed by the vote of the subservient council. That the people might willingly pay them, a rumor of a war with the Eastern Indians was spread abroad; and Cranfield made a visit to New York, under pretence of concerting measures with the governor of that province. The English ministry was also informed that his majesty's service required the presence of a ship-of-war. The committee of plantations had been warned that "without some visible force to keep the people of New Hampshire under, it would be a difficult or impossible thing to execute his majesty's commands, or the laws of trade."

Feb.
14.

But the yeomanry were not terrified; illegal taxes could not be gathered; associations were formed for mutual support in resisting their collection. At Exeter, the sheriff was driven off with clubs, and the farmers' wives had prepared hot water to scald his officer, if he had attempted to attach property in the house. At Hampton, he was beaten, robbed of his sword, seated upon a horse, with a rope round his

¹ Chalmers, 497, 510.

CHAP. neck, and conveyed out of the province. If rioters
 XII. were committed, they were rescued by a new riot;
 1684. if the troop of horse of the militia were ordered out,
 not a man obeyed the summons.

Cranfield, in despair, wrote imploringly to the government in England, "I shall esteem it the greatest happiness in the world to be allowed to remove from these unreasonable people. They cavil at the royal commission, and not at my person. No one will be accepted by them, who puts the king's commands in execution."

The conduct of Cranfield met with the entire approbation of the lords of trade; he was allowed to withdraw from the province; but the government in England had no design of ameliorating the political condition of the colonists.

The character of New Hampshire, as displayed in this struggle for freedom, remained unchanged. It was ever esteemed in England "factious in its economy, affording no exemplary precedents" to the friends of arbitrary power.

- Massachusetts might, perhaps, still have defied the king, and escaped or overawed the privy council; but the merchants and manufacturers of England, fearing the colony as their rival, possessed intelligence to discern how their monopoly might be sustained, and perseverance to press steadily towards their object.
1675. Their complaints had been received with favor; their selfish reasoning was heard with a willingness to be convinced; and the English statesmen who maintained the absolute sovereignty of parliament, must have esteemed Massachusetts without excuse.
1676. The agents of Massachusetts had brought with them no sufficient power; an amnesty for the past would

readily have been conceded ; for the future, it was resolved to reduce Massachusetts to "a more palpable dependence." That this might be done with the consent of the colony, the agents were enjoined to procure larger powers. But no larger powers were granted.

It was against fearful odds that Massachusetts continued the struggle. All England was united. Whatever party triumphed, the mercantile interest would readily procure an enforcement of the laws of trade. "The country's neglect of the Acts of Navigation," wrote the agents, "has been the most unhappy neglect. Without a compliance in that matter, nothing can be expected but a total breach." "All the storms of displeasure" would be let loose.

It was not, therefore, a surprise, when the committee of plantations raised the question, whether the original charter had any legal entity. The crown, however, would not deny the validity of the patent, but suggested the avoiding it by a *quo warranto*.

The colony resolved, if it must fall, to fall with dignity. Religion had been the motive of the settlement ; religion was now its counsellor. The fervors of the most ardent devotion were kindled ; a more than usually solemn form of religious observance was adopted ; a synod of all the churches in Massachusetts was convened, to inquire into the causes of the dangers to New England liberty, and the mode of removing the evils. Historians have mentioned this incident with levity ; no more fit mode could have been devised to awaken the attention of every individual in the commonwealth to a consideration of the subject.

Meantime the general court had enacted several laws, partially removing the ground of complaint. But

CHAP.
XII.

1676.

1678,
1679.

CHAP. XII. they related to forms, rather than to realities. High treason was made a capital offence; the oath of allegiance was required; the king's arms were put up in the court-house. But it was more difficult to conform to the laws of trade. The colony was unwilling to forfeit its charter and its religious liberties on a pecuniary question; and yet, to acknowledge its readiness to submit to an act of parliament, was regarded as a cession of the privilege of independent legislation. It devised, therefore, an expedient. It declared that "the Acts of Navigation were an invasion of the rights and privileges of the subjects of his majesty in the colony, they not being represented in parliament." "The laws of England," they add, "do not reach America." In connection with this declaration, the general court gave validity to the laws of navigation by an act of its own.

Such is the renewed direct denial, on the part of a colony, of the supremacy of parliament, on the ground of a want of representation. Massachusetts adopted towards Charles II. the same views which she had successfully avowed to the English nation in the days of the Long Parliament.

The troubles connected with the popish plot delayed the settlement of the affairs of New England. 1679. The agents, Stoughton and Bulkley, returned in 1679, Dec. and reached Boston in December. With them came Randolph, now appointed an officer of the customs. The new command of the king, that other agents should be sent over with unlimited powers, was disregarded. It was evident the subversion of the charter was designed.

Twice did Charles II. remonstrate against the disobedience of his subjects; twice did Randolph cross the

Atlantic, and return to England, to assist in directing the government against Massachusetts. The commonwealth was inflexible. At length, in February, 1682, the aspect of affairs in England rendered delay more dangerous; and Dudley and Richards were selected as agents. Yet, while the prayers of the whole commonwealth went up for their safety, and the safety of the patent, they were expressly enjoined to consent to nothing that should infringe the privileges of the government established under the charter. A singular method was also attempted. In the English court every thing was venal. France had succeeded in bribing the king to betray the political interests of England; Massachusetts was willing to bribe the monarch into clemency towards its liberties.

The commission of the deputies was not acceptable. They were ordered to obtain full powers for the entire regulation of the government, and the threat of a judicial process was renewed. The agents represented the condition of the colony as desperate. A common war against corporations was begun; many cities in England had surrendered. Was it not safest for the colony to decline a contest, and throw itself upon the favor or forbearance of the king? Such was the theme of universal discussion throughout the colony; the common people spoke of it at their firesides; the topic went with them to church; it entered into their prayers; it filled the sermons of the ministers; and, finally, Massachusetts resolved, in a manner that showed it to be distinctly the sentiment of the people, to resign the territory of Maine, which was held by purchase, but not to concede one liberty or one privilege which was held by charter. If liberty was to receive its death-blow, better that it should die by the

CHAP.
XII.

1682.

1682.
Sept.

CHAP. violence and injustice of others, than by their own
 XII. weakness.

The message closed the duties of the agents. A *quo*
 1683. *warranto* was issued; Massachusetts was arraigned
 before an English tribunal, under judges holding their
 office at the pleasure of the crown; and Randolph,
 Oct. the hated messenger, arrived with the writ. At the
 same time, a declaration from the king asked once
 more for submission, promising as a reward the royal
 favor, and the fewest alterations in the charter consist-
 ent with the support of a royal government.

The people of Massachusetts had been close ob-
 servers of events in England. They had seen a popu-
 lar party, of which Shaftesbury assumed the guidance,
 and of which the house of commons was the scene of
 victories, rise, act, and become defeated. They had
 seen Charles II. gradually establish despotic power.
 They had seen the people of England apparently
 acquiescing in the subjection of parliament. An in-
 surrection had indeed been planned; the doctrine had
 indeed been whispered, that resistance to oppression
 was lawful. But the doctrine had been expiated by
 the blood of Sidney and of Russell; and the colonists
 July 21. knew, that, on the very day of the death of Russell,
 the university of Oxford, recalling the days of Henry
 VIII., and asserting an historical fact rather than a
 principle, had declared "*submission* and obedience,
 clear, absolute, and without exception, to be the badge
 and character of the church of England." They knew
 that many cities of England had surrendered their char-
 ters; that London itself, the metropolis which had shel-
 tered Hampden against Charles I., had found resistance
 ineffectual; and to render submission in Massachusetts
 easy, by showing that opposition was desperate, two

hundred copies of the proceedings against London, CHAP.
XII. were sent over to be dispersed among the people. 1688.
 The governor and assistants, the patrician branch of the government, were persuaded of the hopelessness of further resistance; even a tardy surrender of the charter might conciliate the monarch. They, therefore, resolved to remind the king of his promises, and Nov.
15. “not to contend with his majesty in a court of law;” they would “send agents, empowered to receive his majesty’s commands.”

The magistrates referred this vote to “their brethren the deputies” for concurrence. During a full fortnight the subject was debated, that a decision might be made in harmony with the people.

“Ought the government of Massachusetts,” thus it was argued, “submit to the pleasure of the court as to alteration of their charter? Submission would be an offence against the majesty of Heaven; the religion of the people of New England and the court’s pleasure cannot consist together. By submission Massachusetts will gain nothing. The court design an essential alteration, destructive to the vitals of the charter. The corporations in England that have made an entire resignation, have no advantage over those that have stood a suit in law; but if we maintain a suit, though we should be condemned, we may bring the matter to chancery or to a parliament, and in time recover all again. We ought not to act contrary to that way, in which God hath owned our worthy predecessors, who, in 1638, when there was a *quo warranto* against the charter, durst not submit. In 1664, they did not submit to the commissioners. We, their successors, should walk in their steps, and so trust in the God of our fathers, that we shall see his salvation. Submission would gratify our adversaries and grieve our friends.

CHAP. Our enemies know it will sound ill in the world, for
 XII. them to take away the liberties of a poor people of
 1683. God in a wilderness. A resignation will bring slavery
 upon us sooner than otherwise it would be ; and will
 grieve our friends in other colonies, whose eyes are
 now upon New England, expecting that the people
 there will not, through fear, give a pernicious example
 unto others.

“ Blind obedience to the pleasure of the court cannot be without great sin, and incurring the high displeasure of the King of Kings. Submission would be contrary unto that which has been the unanimous advice of the ministers, given after a solemn day of prayer. The ministers of God in New England have more of the spirit of John Baptist in them, than now, when a storm hath overtaken them, to be reeds, shaken with the wind. The priests were to be the first that set their foot in the waters, and there to stand till the danger be past. Of all men, they should be an example to the Lord’s people, of faith, courage, and constancy. Unquestionably, if the blessed Cotton, Hooker, Davenport, Mather, Shepherd, Mitchell, were now living, they would, as is evident from their printed books, say, Do not sin in giving away the inheritance of your fathers.

“ Nor ought we submit without the consent of the body of the people. But the freemen and church-members throughout New England will never consent hereunto. Therefore the government may not do it.

“ The civil liberties of New England are part of the inheritance of their fathers ; and shall we give that inheritance away ? Is it objected that we shall be exposed to great sufferings ? Better suffer than sin. It is better to trust the God of our fathers, than to put confidence in princes. If we suffer because we

dare not comply with the wills of men against the will of God, we suffer in a good cause, and shall be accounted martyrs in the next generation and at the great day.”¹ CHAP.
XII.
1683.

The decision of the colony, by its representatives, is on record. “The deputies consent not, but adhere to their former bills.” Nov.
30.

Addresses were forwarded to the king, urging forbearance ; but entreaty and remonstrance were vain. 1684.
A *scire facias* was issued in England ; and before the colony could act upon it, just one year and six days after the judgment against the city of London, the charter was conditionally adjudged to be forfeited ; and the judgment was confirmed on the first day of the Michaelmas term. A copy of the judgment was received in Boston in July of the following year. June
18.
1685.
July
2.

Thus fell the charter, which the fleet of Winthrop had brought to the shores of New England, which had been cherished with anxious care through every vicissitude, and on which the fabric of New England liberties had rested. There was now no barrier between the people of Massachusetts and the absolute will of the court of England. Was religion in danger ? Was landed property secure ? Would commercial enterprise be paralyzed by restrictions ? Was New England destined to learn from its own experience the nature of despotism ? Gloomy forebodings overspread the colony.

¹ Mass. Hist. Coll. xxi. 74—81. from the old Hutchinson papers. Every word, unless it be some small connecting words, is taken exactly as I have omitted some things, but have not added a line.

CHAPTER XIII.

SHAFTESBURY AND LOCKE LEGISLATE FOR CAROLINA.

CHAP.
XIII.

MEANTIME civilization had advanced at the south ; and twin stars were emerging beyond the limits of Virginia. The country over which Soto had rambled in quest of gold, where Calvinists, befriended by Coligny, had sought a refuge, and where Raleigh had hoped to lay the foundations of colonial principalities, was beginning to submit to the culture of civilization.

Massachusetts and Carolina were both colonized under proprietary charters, and of both the charters were subverted ; but while the proprietaries of the former were emigrants themselves, united by the love of religious liberty, the proprietaries of the latter were a company of English courtiers, combined for the purpose of a vast speculation in lands. The government established in Massachusetts was essentially popular, and was the growth of the soil ; the constitution of Carolina was invented in England. Massachusetts was originally colonized by a feeble band of suffering yet resolute exiles, and its institutions were the natural result of the good sense and instinct for liberty of an agricultural people ; Carolina was settled under the auspices of the wealthiest and most influential nobility, and its fundamental laws were framed with forethought by the most sagacious politician and the

most profound philosopher of England. The king, through an obsequious judiciary, annulled the government of Massachusetts; the colonists repudiated the constitutions of Carolina. The principles of the former possessed an inherent vitality, which nothing has yet been able to destroy; the frame of the latter, as it disappeared, left no trace of its transitory existence, except in the institutions which sprung from its decay.

CHAP.
XIII.

The reign of Charles II. was not less remarkable for the rapacity of the courtiers, than for the debauchery of the monarch. The southern part of our republic, ever regarded as capable of producing all the staples that thrive on the borders of the tropics, was coveted by statesmen who controlled the whole patronage of the British realms. The province of Carolina, extending from the thirty-sixth degree of north latitude to the River San Matheo, was accordingly erected into one territory; and the historian Clarendon, the covetous though experienced minister, hated by the people, faithful only to the king;¹ Monk, so conspicuous in the restoration, and now ennobled as duke of Albemarle; Lord Craven,² a brave Cavalier, an old soldier of the German discipline, supposed to be husband to the queen of Bohemia; Lord Ashley Cooper, afterwards earl of Shaftesbury; Sir John Colleton, a royalist of no historical notoriety; Lord John Berkeley, with his younger brother,³ Sir William Berkeley, the governor of Virginia; and the passionate, and ignorant, and not too honest Sir George Carteret,⁴ —were constituted its proprietors and immediate sove-

1663.
Mar.
24.

¹ Pepys, i. 192, 366. Evelyn.
² Life of Lord Keeper Guilford, 393. Pepys, i. 115.
³ Morryson, in Burk, iii. 266.
⁴ Pepys, i. 356, 140, 235, 236, 228, 176, and Grahame's U. S. ii. 317.

CHAP. XIII. reigns. Their authority was nearly absolute ; nothing was reserved but a barren allegiance. Avarice is the vice of declining years ; most of the proprietaries were past middle life. They begged the country under pretence of "a pious zeal for the propagation of the gospel ;" and their sole object was the increase of their own wealth and dignity.¹

The grant had hardly been made before it became apparent that there were competitors, claiming possession of the same territory. It was included by the Spaniards within the limits of Florida ; and the castle of St. Augustine was deemed proof of the actual possession of an indefinite adjacent country. Spain had never formally acknowledged the English title to any possessions in America ; and when a treaty was finally concluded at Madrid, it did but faintly concede the right of England to her transatlantic colonies, and to a continuance of commerce in "the accustomed seas."

And not Spain only claimed Carolina. In 1630, a patent for all the territory had been issued to Sir Robert Heath ; and there is room to believe that, in 1639, permanent plantations were planned and perhaps attempted by his assign.² William Hawley appeared in Virginia as "governor of Carolina," the land between the thirty-first and thirty-sixth parallels of latitude ; and leave was granted by the Virginia legislature, that it might be colonized by one hundred persons from Virginia, "freemen, being single, and disengaged of debt."³ The attempts were certainly unsuccessful, for the patent was now declared void,

¹ The two Charters to the Proprietors of Carolina, small 4to.

Richmond, labelled No. 1, 1639—1642, p. 70.

² Hening, i. 552. Records in the office of the general court at

³ Richmond Records, No. 1. 1639—1642, p. 93.

because the purposes for which it was granted had never been fulfilled.¹ CHAP.
XIII.

More stubborn rivals were found to have already² 1660.
planted themselves on the River Cape Fear. Hardly^{or} 1661.
had New England received within its bosom a few
scanty colonies, before her citizens and her sons began
roaming the continent and traversing the seas in quest
of untried fortune. A little bark, navigated by New
England men, had hovered off the coast of Carolina ;
they had carefully watched the dangers of its naviga-
tion ; had found their way into the Cape Fear River ;
had purchased of the Indian chiefs a title to the soil, and
had boldly planted a little colony of herdsmen far to
the south of any English settlement on the continent.
Already they had partners in London, and hardly was
the grant of Carolina made known, before their agents 1663.
pleaded their discovery, occupancy, and purchase, as ^{Aug.}
affording a valid title to the soil, while they claimed 6.
the privileges of self-government as a natural right.³
A compromise was offered ; and the proprietaries, in
their " proposals to all that would plant in Carolina,"
promised emigrants from New England religious free-
dom, a governor and council to be elected from among
a number whom the emigrants themselves should
nominate, a representative assembly, independent
legislation, subject only to the negative of the proprie-
taries, land at a rent of a halfpenny an acre, and such
freedom from customs as the charter would warrant.⁴
Yet the lands round Cape Fear were not inviting

¹ Williamson's N. C. i. 84, 85. i. 95, 1660. Again, Martin, i. 137, Berkeley, *ibid.* 255. Martin, i. 94, contradicts himself, and says 1660. 125. Chalmers, 515. ³ Mass. Hist. Coll. xxi. 55—59.

² Lawson's Description, p. 73. Martin, i. 116, 117, 126. Letter in "In the year 1661, or thereabouts." Williamson, i. 256.
Martin, i. 126, 1659. Williamson, ⁴ Chalmers, 518.

CHAP. to men who could choose their abodes from the
 XIII. whole wilderness ; the herds, and the fields in which
 they browsed, were for a season abandoned to the
 care of friendly Indians ;¹ and the emigrants, revis-
 iting their former homes, "spread a reproach on the
 harbor and the soil."² But the colony was not at once
 wholly deserted ; and if its sufferings became extreme,
 Massachusetts, the young mother of colonies, not
 indifferent to the fate of her children, listened to their
 prayer "for some relief in their distress," and minis-
 1667. tered to their wants by a general contribution through
 her settlements.³ If the infant town planted on Old-
 town Creek, near the south side of Cape Fear
 River, did not prosper,⁴ New England planters
 and New England principles of popular liberty
 remained in North Carolina ;⁵ and to them may fairly
 be traced something of the resolute spirit for which the
 colony was distinguished. Yet they were not the
 sole cause of "the distractions" which ensued ; nature
 herself prompts and encourages the love of freedom.

Loftiness of station does not change selfish passion.
 The conditions offered to the colony of Cape Fear
 "were not intended for the meridian" of Virginia.
 "There," said the proprietaries, in their instructions
 to Sir William Berkeley, "we hope to find more facile
 people" than the New England men. Yet they
 intrusted the affair entirely to Sir William's manage-
 ment. He was to get settlers as cheaply as possible ;
 yet at any rate to get settlers.⁶

¹ Journal of Gentlemen from Barbadoes, in Lawson, 72, 73. Martin, i. 137.

² Mass. Hist. Coll. xxi. 58.

³ Massachusetts Records for May, 1667, in vol. iv. Comp. Hutchinson, i. 238.

⁴ Lawson, 73, 74. Williamson, i. 95 and 91.

⁵ Chalmers, 516, gives all the honor to New England.

⁶ Williamson, i. 256.

Like Massachusetts, Virginia was the mother of a cluster of states; like the towns of New England, the plantations of Virginia extended along the sea. The country on Nansemond River had been settled as early as 1609; in 1622, the adventurous Porey, then secretary of the Old Dominion, travelled over land to the South River, Chowan, and, on his return, celebrated the kindness of the native people, the fertility of the country, and the happy climate, that yielded two harvests in each year.¹ If no immediate colonization ensued, if the plans formed in England by Sir Robert Heath, or by Lord Maltravers, Heath's assign, were never realized, the desire of extending the settlements to the south still prevailed in Virginia; and twenty years after the excursion of Porey, a company that had heard of the river that lay south-west of the Appomattox, petitioned, and soon obtained leave of the Virginia legislature to prosecute the discovery, under the promise of a fourteen years' monopoly of the profits.² Exploring parties to the south not less than to the west, to Southern Virginia, or Carolina,³ the early name, which had been retained in the days of Charles I. and of Cromwell, and which was renewed under Charles II.,⁴ continued to be encouraged by similar grants. Clayborne,⁵ the early trader in Maryland, still cherished a fondness for discovery; and the sons of Governor Yeardley⁶ wrote to England with exultation, that the northern country of Carolina had been explored by "Virginians born."

CHAP.
XIII.1622.
Feb.1642.
Jan.

1643.

1652.

¹ Smith's Virginia, ii. 64.² Hening, i. 262. Williamson, i. 91. "For more than twenty years," &c. Had Williamson for his opinion other grounds than this act, which, however, does not sustain his statement? He cites no authority.³ Thurloe, ii. 273, 274. Hening, i. 552.⁴ Compare Carolina, by T. A. 1682, p. 3.⁵ Hening, i. 377.⁶ Thurloe, ii. 273, 274. Letter of Francis Yeardley to John Farrar.

CHAP. XIII. We are not left to conjecture, who of the inhabitants of Nansemond of that day first traversed the intervening forests and came upon the rivers that flow into Albemarle Sound. The company was led by

1653. Roger Green, and his services were rewarded by the
July. grant of a thousand acres, while ten thousand acres were offered to any hundred persons who would plant on the banks of the Roanoke, or on the south side of the Chowan and its tributary streams.¹ These conditional grants seem not to have taken effect; yet the

1656. enterprise of Virginia did not flag; and Thomas Dew,
Dec. once the speaker of the assembly, formed a plan for exploring the navigable rivers still further to the south, between Cape Hatteras and Cape Fear.² How far this spirit of discovery led to immediate emigration, it is not possible to determine. The county of Nansemond had long abounded in non-conformists;³ and it is certain the first settlements on Albemarle Sound were a result of spontaneous overflowings from Virginia. Perhaps a few vagrant families were planted within the limits of Carolina⁴ before the restoration. At that period, men who were impatient of interference, who dreaded the enforcement of religious conformity, who distrusted the spirit of the new government in Virginia, plunged more deeply into the forests. It is known that, in 1662, the chief of the Yeopim Indians granted to George Durant⁵ the neck

¹ Hening, i. 380, 381.

² Ibid. 422.

³ Winthrop, ii. 334. Johnson's Wonderw. Prov. B. iii. c. xi.

⁴ Williamson, i. 79, 91, and note on 93. Williamson cites no authorities. The accounts in the historians of North Carolina are confused. As far as I can learn, no memorials of the earliest settlers

remain. I have no document older than 1663, and no exact account, which I dare trust, older than 1662.

⁵ Winthrop, ii. 334, speaks of Mr. Durand, of Nansemond, elder of a Puritan "very orthodox church," in that county, and banished from Virginia in 1648, by Sir William Berkeley. Were the exile and the colonist in any way connected?

of land which still bears his name ;¹ and, in the following year, George Cathmaid could claim from Sir William Berkeley a large grant of land upon the Sound, as a reward for having established sixty-seven persons in Carolina.² This may have been the oldest considerable settlement ; there is reason to believe that volunteer emigrants had preceded them.³ In September, the colony had attracted the attention of the proprietaries, and Berkeley was commissioned to institute a government over the region, which, in honor of Monk, received the name that time has transferred to the bay. The plantations were chiefly on the north-east bank of the Chowan ; and, as the mouth of that river is north of the thirty-sixth parallel of latitude, they were not included in the first patent of Carolina. Yet Berkeley, who was but governor of Virginia, and was a joint proprietary of Carolina, obeyed his interest as landholder more than his duty as governor ; and, severing the settlement from the Ancient Dominion, established a separate government over men who had fled into the woods for the enjoyment of independence, and who had already, at least in part, obtained a grant of their lands from the aboriginal lords of the soil.

Berkeley did not venture to discuss the political principles or dispute the possessions of these bold pioneers. He appointed William⁴ Drummond, an emigrant to

CHAP.
XIII.
1663.
April
1.

¹ MSS. communicated by D. L. Swain, governor of North Carolina, in 1835.

² MSS. from D. S. Swain.

³ Chalmers, 519, "For some years."

⁴ William. Martin, i. 138, says George Drummond. Hening, ii. 226, Act i. identifies the man, and

settles the question. Williamson, i. 119, is even more inaccurate than Martin ; he says Drummond died in the colony. So carelessly has the history of N. C. been written, that the name, the merits, and the end of its first governor are not known.

CHAP.
XIII.

Virginia¹ from Scotland,² probably a Presbyterian, a man of prudence and popularity, deeply imbued with the passion for popular liberty,³ to be the governor of Northern Carolina; and, instituting a simple form of government, a Carolina assembly,⁴ and an easy tenure of lands, he left the infant people to take care of themselves; to enjoy liberty of conscience and of conduct in the entire freedom of innocent retirement; to forget the world, till rent-day drew near, and quit-rents might be demanded.⁵ Such was the origin of fixed settlements in North Carolina. The child of ecclesiastical oppression was swathed in independence.

But not New England and Virginia only turned their eyes to the southern part of our republic. Several planters of Barbadoes, dissatisfied with their condition, and desiring to establish a colony under their own exclusive direction, despatched a vessel to examine the country. What other report could be made by the careful leaders of the expedition, than that the climate was agreeable, and the soil of various qualities; that game abounded; that the natives were ready to promise peace?⁶ They purchased of the Indians a tract of land thirty-two miles square, on Cape Fear River, near the neglected settlement of the New Englanders, and their employers begged of the proprietaries a confirmation of the purchase, and a separate charter of government. Not all their request

¹ Hening, i. 549, ii. 158.

² Sir Wm. Berkeley's List, &c., copied by Greenhow, published by P. Force, 1835. "Drummond, a Scotchman."

³ Berkeley, as above. And a Narrative of the Indian and Civil Wars in Virginia, in Mass. Hist. Coll. xi. 79; in Force's edition, p. 46.

⁴ Richmond Records, No. 3. 1663—1668, 348—353. "Wm. Drummond, governor of Carolina, and the assembly there." p. 349. "This was July 12, 1666."

⁵ Chalmers, 520.

⁶ The account is reprinted in Lawson, 65—73. Martin, 180, &c., less perfectly.

was granted; yet liberal terms were proposed; and Sir John Yeamans, the son of a Cavalier, a needy baronet, who, to mend his fortune, had become a Barbadoes planter, was appointed governor, with a jurisdiction extending from Cape Fear to the St. Matheo. The country was called Clarendon. "Make things easy to the people of New England; from thence the greatest supplies are expected;" such were his instructions. Under an ample grant of liberties for the colony, he conducted, in the autumn of 1665, a band of emigrants from Barbadoes, and on the south bank of Cape Fear River laid the foundation of a town, which flourished so little, that its site is at this day a subject of dispute.¹ Yet the colony, barren as were the plains around them, made some advances; it exported boards, and shingles, and staves, to Barbadoes. The little traffic was profitable, and was continued; emigration increased; the influence of the proprietaries fostered its growth; it absorbed the remains of the New England settlement; and it is said that, in 1666, the plantation already contained eight hundred souls. Many preferred it, as a place of residence, to Barbadoes, and Yeamans, who understood the nature of colonial trade, managed its affairs without reproach.²

Meantime the proprietaries, having obtained minute information respecting the coast, had learned to covet an extension of their domains; and, indifferent to the claims of Virginia, and in open contempt of the garrison of Spain at St. Augustine, the covetous Clarendon and his associates easily obtained from the king a new charter, which granted to them, from the Atlantic to the Pacific Ocean, all

CHAP.
XIII.
1663.

1665.
June
13.

¹ See Lawson's Map. Martin, i. 142, 143.
VOL. II. 18

² Williamson, i. 100.

CHAP. the land lying between twenty-nine degrees and
 XIII. thirty-six degrees thirty minutes, north latitude;
 1665. a territory extending seven and a half degrees from
 north to south, and more than forty degrees from east
 to west; comprising all the territory of North and
 South Carolina, Georgia, Tennessee, Alabama, Mis-
 sissippi, Louisiana, Arkansas, much of Florida and
 Missouri, nearly all of Texas, and a large portion of
 Mexico. The soil, and, under the limitation of a
 nominal allegiance, the sovereignty also, were theirs,
 with the power of legislation, subject to the consent
 of the future freemen of the colony. The grant of
 privileges was ample, like those to Rhode Island and
 Connecticut. An express clause in the charter for
 Carolina opened the way for religious freedom;
 another held out to the proprietaries a hope of revenue
 from colonial customs, to be imposed in colonial ports
 by Carolina legislatures; another gave them the
 power of erecting cities and manors, counties and
 baronies, and of establishing orders of nobility, with
 other than English titles. It was evident that the
 founding of an empire was contemplated; for the
 power to levy troops, to erect fortifications, to make
 war by sea and land on their enemies, and to exercise
 martial law in cases of necessity, was not withheld.
 Every favor was extended to the proprietaries; nothing
 was neglected but the interests of the English sove-
 reign and the rights of the colonists.¹

Thus the most ample privileges and territories were
 conferred on the corporation of eight; had the lands
 been divided, each would have received a vast realm
 for his portion. Yet, when William Sayle, of the
 1648. Summer Islands, who, long before, had attempted to

¹ Carolina Charters, 4to. Reprinted often. Williamson, i. 230.

plant a colony of Puritans from Virginia in the Baha-
 ma Isles,¹ returned from a later voyage of discovery, CHAP.
XIII.
 which had embraced the isles in the Gulf of Florida,² 1667.
 of these too, the "Eleutheria" of a former day, then
 almost a desert, comprising the land in America on
 which Columbus first kneeled, and including all the
 islands within a belt of five degrees, possession was
 solicited and obtained.

With the new charters the designs of the company 1668.
 expanded. The germs of colonies already existed ;
 imagination encouraged in futurity every extravagant
 anticipation. It was deemed proper to establish a
 form of government commensurate in its dignity with
 the auspices of the colony and the vastness of the
 country ; Clarendon was no longer in England ; and
 Ashley Cooper, earl of Shaftesbury, the most active
 and the most able of the corporators, was deputed to
 frame for the dawning states a perfect constitution,
 worthy to endure throughout all ages.

Shaftesbury was at this time in the full maturity
 of his powers ; celebrated for eloquence, philosophic
 genius, and sagacity ; high in power, and of aspiring
 ambition. Born to great hereditary wealth, the pupil
 of Prideaux had given his early years to the assiduous
 pursuit of knowledge ; the intellectual part of his
 nature had from boyhood obtained the mastery over
 the love of indulgence and luxury. Connected with
 the great landed aristocracy of England, cradled in
 politics, and chosen a member of parliament at the
 age of nineteen, his long public career was checkered
 by the greatest varieties of success. It is a very
 common error of the incurious observer, to attribute
 frequent change to statesmen who have held the helm

¹ Winthrop, ii. 334, 335.

² Hewat's S. Carolina, i. 48.

CHAP.
XIII.

in seasons of vicissitudes; and Shaftesbury, whose political career merits severe reprobation, has been charged with repeated derelictions. But men of great mental power, though they may often change the instruments which they employ, change their principles and their purposes rarely. The party connections of Shaftesbury were affected by the revolutions of the times; but he has been falsely charged with political inconsistency. He often changed his associates, never his purposes;¹ alike the enemy to absolute monarchy and to democratic influence, he resolutely connected his own aggrandizement with the privileges and interests of British commerce, of Protestant religious liberty, and of the landed aristocracy of England. In the Long Parliament, Shaftesbury acted with the people against absolute power; but, while Vane adhered to the parliament from love of popular rights, Shaftesbury adhered to it as the guardian of aristocratic liberty. Again, under Cromwell, Shaftesbury was still the opponent of arbitrary power. At the restoration, he would not tolerate an agreement with the king; such agreement, at that time, could not but have been democratic, and adverse to the privileges of the nobility; which, therefore, in the plenitude of the royal power, sought an ally against the people. When Charles II. showed a disposition to become, like Louis XIV., superior to the gentry as well as to the democracy, Shaftesbury immediately joined the party opposed to the ultra royalists, not as changing his principles,² but from hostility to the supporters of prerogative. The party which he represented, the great

¹ Constantia, fide, vix parem alibi invenias, superiorem certe nullibi. Locke's Epitaph on Shaftesbury. Locke, ix. 281.

² Pepys, i. 219. But Dryden writes, "Restless, unfixed in principles and place." This is true of his party connections, not his principles.

aristocracy of wealth, had to sustain itself between the people on one side, and the monarch on the other. The "nobility" was, in his view, the "rock" of "English principles;"¹ the power of the peerage, and of arbitrary monarchy, were "as two buckets, of which one goes down exactly as the other goes up."² In the people of England, as the depository of power and freedom, Shaftesbury had no confidence; his system protected wealth and privilege; and he desired to deposit the conservative principles of society in the exclusive custody of the favored classes. Cromwell had proposed, and Vane had advocated, a reform in parliament; Shaftesbury hardly showed a disposition to diminish the influence of the nobility over the lower house.³

Such were the political principles of Shaftesbury; and his personal character was analogous. He loved wealth without being a slave to avarice; and, though he would have made no scruple of "robbing the devil or the altar,"⁴ he would not pervert the course of judgment, or be bribed into the abandonment of his convictions.⁵ If, as lord chancellor, he sometimes received a present, his judgment was never suspected of a bias. Quick to discern the right, and careless of precedents, usages, and bar-rules, he was prompt to render an equitable decision. Every body applauded but the lawyers; they censured the contempt of ancient forms; the diminished weight of authority, and the neglect of legal erudition; the historians, the

CHAP.
XIII.

¹ "A Letter from a Person of Quality to his Friend in the Country," in Locke, x. 226, 242.

² Pepys, i. 219.

³ "As to making Shaftesbury a friend to our ideas of liberty, it is impossible, at least in my opinion. Yet he is very far from being the

devil he is described." C. J. Fox. See introduction to Fox's History of James II. p. 50.

⁴ Pepys, i. 366.

⁵ Evelyn, ii. 361, asserts positively that Shaftesbury did not advise the king to invade the exchequer. Lingard is severe in his judgment.

CHAP. XIII. poets, common fame, even his enemies, declared that never had a judge possessed more discerning eyes, or cleaner hands ;

“ Unbribed, unbought, the wretched to redress,
Swift of despatch, and easy of access.”

In changing friendships, he never betrayed the confidence of former friends ; and the changes were a consequence of his principles, not of his ambition. Even his enemies allowed, that, as a royalist minister, he might have “ freely gathered the golden fruit ; ” but he disdained the monarch’s favor, and stood firmly by the vested rights of his order.

In person, he was small, and of that peculiar organization which is alike irritable and versatile. It belongs to such a man to have cunning rather than wisdom ; celerity rather than dignity ; the very high powers of abstraction and generalization rather than the still higher power of successful action. He transacted business with an admirable ease and mastery,¹ for his lucid understanding delighted in general principles ; but he could not successfully control men, for he had neither conduct in the direction of a party, nor integrity in the choice of means. He would use a prejudice as soon as an argument ; would stimulate a superstition as soon as wake truth to the battle ; would flatter a crowd or court a king. Having debauched his mind into a contempt for the people, he attempted to guide them by inflaming their passions.

This contempt for humanity punishes itself ; Shaftesbury was destitute of the healthy judgment which comes from sympathy with his fellow-men. Alive to the force of an argument, he never could judge of its

¹ Pepys, i. 222 ; or Shaftesbury. Compare, also, North and Burnet.

effect on other minds ; his subtle wit, prompt to seize on the motives to conduct, and the natural affinities of parties, could not discern the moral obstacles to new combinations. He had no natural sense of propriety ; he despised gravity, as, what indeed it often is, the affectation of dulness ; and thought it no condescension to charm by drollery. Himself without any veneration for prejudice or prescriptive usage, he never could estimate the difficulty of abrogating a form or overcoming a prejudice. His mind regarded purposes and results ; and he did not so much defy appearances as rest ignorant of their power ; an indifference, which, in some respects, was an immorality. Desiring to exclude the duke of York from the throne, no delicacy of sentiment restrained him from proposing the succession to the uncertain issue of an abandoned woman, who had once been mistress to the king ; and he saw no cruelty in urging Charles II. to a divorce from a confiding wife, who had no blemish but barrenness.

CHAP.
XIII.

The same want of common feeling, joined to a surprising mobility, left Shaftesbury in ignorance of the energy of religious convictions. Skeptics are apt to be superstitious ; the organization that favors the moral restlessness of perpetual doubt often superinduces a nervous timidity. Shaftesbury was indifferent to religion ; his physical irritability made him not indifferent to superstition. He would not fear God, but he watched the stars ; he did not receive Christianity, and he could not reject astrology.

Excellent in counsel, Shaftesbury was poor as an executive agent. His restless spirit fretted at delay, and grew feverish with impatient waiting. His eager impetuosity betrayed the designs of the poor dissimu-

CHAP.
XIII.

lator ; and when unoccupied, his vexed and anxious mind lost its balance, and planned desperate counsels. In times of tranquillity, the crafty intriguer was too passionate for success ; but when the storm was really come, and old landmarks were washed away, and the wonted lights in the heavens were darkened, Shaftesbury was a daring and successful statesman ; for he knew how to evolve a rule of conduct from general principles.

1669. At a time when John Locke was unknown to the world, the sagacity of Shaftesbury had detected the deep riches of his mind, and selected him for a bosom friend and adviser in the work of legislation for Carolina. Locke was at this time in the midway of life, adorning the clearest understanding with the graces of gentleness, good humor, and beautiful ingenuousness. Of a sunny disposition, he could be choleric without malice, and gay without levity. Like the younger Winthrop, he was a most dutiful son. In dialectics, he was unparalleled, except by his patron. His lucid mind despised the speculations of a twilight philosophy, esteeming the pursuit of truth the first object of life, and its attainment as the criterion of dignity ; and therefore he never sacrificed a conviction to an interest. The ill success of the democratic revolution of England had made him an enemy to popular innovations. He had seen the commons of England incapable of retaining the precious conquest they had made ; and being neither a theorist like Milton, nor a tory like Tillotson, he cherished what at that day were called English principles ; looking to the aristocracy as the surest adversaries of arbitrary power. He did not, like Sidney, sigh for the good old cause of a republic ; nor, like Penn, confide in the instincts of

humanity ; but regarded the privileges of the nobility as the guaranties of English liberties. Emphatically free from avarice, he could yet, as a political writer, deify liberty under the form of wealth ; to him slavery seemed no unrighteous institution ; and he defines¹ “ political power to be the right of making laws for regulating and preserving property.” Destitute of enthusiasm of soul, he had no kindling love for ideal excellence. He abhorred the designs, and disbelieved the promises, of democracy ; he could sneer at the enthusiasm of Friends. Unlike Penn, he believed it possible to construct the future according to the forms of the past. No voice of God within his soul called him away from the established usages of England ; and, as he went forth to lay the foundations of civil government in the wilderness, he bowed his mighty understanding to the persuasive influence of Shaftesbury.²

But the formation of political institutions in the United States was not effected by giant minds, or “nobles after the flesh.” American history knows but one avenue to success in American legislation—freedom from ancient prejudice. The truly great lawgivers in our colonies first became as little children.³

In framing constitutions for Carolina, Locke forgot the fundamental principles of practical philosophy. There can be no such thing as a creation of laws ; for laws are but the arrangement of men in society, and good laws are but the arrangement of men in society in their just and natural relations. It is the prerogative of self-government, that it adapts itself to

¹ Locke, of Civil Gov. b. ii. c. i. *Intellectus ab idolis liberandus est,*

² Dedication to the Posthumous Pieces of Mr. John Locke. *ut non alius sit aditus ad regnum, in scientiis, quam ad regnum colorum ; in quod nisi sub persona, &c.*

³ Bacon, Nov. Org. i. lxxviii.

CHAP. every circumstance which can arise. Its institutions,
XIII. if often defective, are always appropriate ; for they
1669. are the exact representation of the condition of a people, and can be evil only because there are evils in society ; exactly as a coat may suit an ill-shaped person. Habits of thought and action fix their stamp on the public code ; the faith, the prejudices, the hopes of a people, may be read there ; and, as knowledge advances, one prejudice after another, each erroneous judgment, each perverse enactment, yields to the imbodyed force of the common will. The method to success in legislating for Carolina, could only have been the counsels of the emigrants themselves.

The constitutions for Carolina merit attention as the only continued¹ attempt within the United States to connect political power with hereditary wealth. America was singularly rich in every form of representative government ; its political experience was so varied, that, in modern European constitutions, hardly a method of constituting an upper or a popular house has thus far been suggested ; of which the character and the operation had not already been tested in the history of our fathers. No one of the early colonies possessed a larger experience than Carolina ; the disputes of a thousand years were crowded into a generation.

But few of the enfranchising principles which were then rapidly gaining a distinct existence, received at that time a just or a perverse application. Europe suffered from obsolete, but not inoperative, laws ; no statute of Carolina was to bind beyond a century. Europe suffered from the multiplication of law-books, and the perplexities of the law ; in Carolina, not a com-

¹ So, in 1698, April 11, a new form of the fundamental constitutions was agreed on ; and article 7 asserts, " All power and dominion is most naturally founded in property." The two Charters, &c. p. 54,—a small 4to., printed without date.

mentary might be written on the constitutions, the statutes, or the common law. Europe suffered from the furies of English bigotry; Carolina promised, not equal rights, but toleration to "Jews, Heathens, and other Dissenters," to "men of any religion." In other respects, "the interests of the proprietors," the desire of "a government most agreeable to monarchy," and the dread of "a numerous democracy,"¹ are avowed as the sole motives for forming the fundamental constitutions of Carolina. The rights of the resident emigrants were less considered.

The proprietaries, as sovereigns, constituted a close corporation of eight—a number which was never to be diminished or increased. The dignity was hereditary; in default of heirs, the survivors elected a successor. Thus was formed an upper house, "a diet of Starosts,"² self-elected and immortal.

For purposes of settlement, the almost boundless territory was to be divided into counties, each containing four hundred and eighty thousand acres. The creation of two orders of nobility, of one landgrave or earl, of two caciques or barons for each county, preceded the distribution of lands into five equal parts, of which one remained the inalienable property of the proprietaries, and another formed the inalienable and indivisible estates of the nobility. The remaining three fifths were reserved for what was called the people; and might be held by lords of manors who were not hereditary legislators, but, like the nobility, exercised judicial powers in their baronial courts. The number of the nobility might neither be increased nor diminished; election supplied the places left

¹ See the Preamble in Charters, &c. p. 33; in Martin, l. App. lxxi.

² Gillies' Arist. ii. 248.

CHAP. vacant for want of heirs ; for, by an agrarian principle,
XIII. estates and dignities were not allowed to accumulate.

1669. The instinct of aristocracy dreads the moral power of a proprietary yeomanry ; the perpetual degradation of the cultivators of the soil was enacted. The leet-men, or tenants, holding ten acres of land at a fixed rent, were not only destitute of political franchises, but were adscripts to the soil ; “under the jurisdiction of their lord, without appeal ;” and it was added, “all the children of leet-men shall be leet-men, and so to all generations.”¹

Grotius, in a former generation, had defended slavery as a rightful condition ; a few years later, and William Penn is said to have employed the labor of African bondmen ; it is not surprising that John Locke could propose, without compunction, that every free-man of Carolina shall have absolute power and authority over his negro slaves.

By the side of the seigniories, baronies, and manors, it was supposed that some freeholders would also be found ; no elective franchise could be conferred on a freehold of less than fifty acres, and no eligibility to the parliament on a freehold of less than five hundred.

All executive power, and, in the last resort, all judiciary power, rested with the proprietaries themselves. The seven subordinate courts had each a proprietary for its chief ; and of the forty-two counsellors of whom they were composed, twenty-eight were appointed by the proprietaries and the nobility. The judiciary was placed far beyond the reach of popular influence. To one aristocratic court was intrusted the superintendence of the press ; and, as if not only men would submit their minds, but women their tastes, and chil-

¹ Constitutions, sect. 22.

dren their pastimes, to a tribunal, another court had cognizance of "ceremonies and pedigrees," "of fashions and sports."¹ Of the fifty who composed the grand council of Carolina, fourteen only represented the commons, and of these fourteen, the tenure of office was for life.

CHAP.
XIII.
1669.

The constitutions recognized four estates—the proprietaries, the landgraves, the caciques, and the commons. In the parliament, all the estates assembled in one chamber; apart from the proprietaries, who might appear by deputies, the commons elected four members for every three of the nobility; but the influence of a great landed aristocracy in controlling elections was already well understood; and none but large proprietaries were eligible to the parliament. An aristocratic majority might, therefore, always be relied upon; but, to prevent danger, three methods, reproduced, in part, in modern monarchical constitutions, were adopted; the proprietaries reserved to themselves a negative on all the proceedings of parliament; no subject could be proposed—an analogous clause existed in the charter granted by Louis XVIII. to France—except through the grand council; and in case of a constitutional objection to a law, either of the four estates might interpose a veto. Popular enfranchisement was made an impossibility. Executive, judicial and legislative power were beyond the reach of the people.

A few singularities were in harmony with the great outlines of the system. In trials by jury, the majority decided; a rule fatal to the oppressed; for where moral courage is requisite for an honest verdict, more than a small minority cannot always be expected.—Another clause, which declared it "a base and vile

¹ Constitutions, sect. 45.

CHAP. XIII. thing to plead for money or reward," could not but
 1669. compel the less educated classes to establish between
 themselves and the nobility the relation of clients and
 patrons. While every religion was tolerated, the
 church of England—it is the only clause engrafted
 upon the constitutions by the proprietaries against the
 wishes of Locke¹—was declared to be the only
 true and orthodox, the national religion of Carolina,
 and therefore alone to receive public maintenance by
 grants from the colonial parliament.

Such were the constitutions devised for Carolina by
 Shaftesbury and Locke, by the statesman who was
 the type of the revolution of 1688, and the philoso-
 pher who was the antagonist of Descartes and William
 Penn. Several of our American writers have at-
 tempted to exonerate Locke from his share in the work
 which they condemn ; but the constitutions, with the
 exception I have named, are in harmony with the
 principles of his philosophy, and with his theories on
 government. To his late old age he preserved with
 care the evidence² of his legislative labors, as a monu-
 ment to his fame ; and his admirers esteemed him the
 superior of the contemporary Quaker king, the rival of
 " the ancient philosophers," to whom the world had
 " erected statues."

1670. The constitutions were signed in March, 1670, and
 Mar. in England became the theme of extravagant applause.
 1. " The model," said Blome,³ in 1672, " is esteemed by
 all judicious persons without compare." " Empires,"
 added an admirer of Shaftesbury, " will be ambitious
 of subjection to the noble government which deep

¹ Constitutions, sect. 96. Locke's Works, x. 194. Life, in i. xxv.—the Charleston library. See Re-
 ports of the Historical Committee,
 &c. 1835, p. 10.

² An autograph is said to be in ³ Blome's America, 138.

wisdom has projected for Carolina ; ”¹ and the proprietaries believed they had set their seals to “a sacred and unalterable” instrument, which they fearlessly decreed should endure “forever.”

CHAP.
XIII.

As far as depended upon the proprietaries, the government was immediately organized ; and Monk, duke of Albemarle, was constituted palatine. But the contrast between the magnificent model of a constitution and the humble settlements of Carolina, rendered the inappropriateness of the forms too ludicrously manifest. Was there room for a palatine and land-graves, for barons and lords of manors, for an admiralty court and a court of heraldry, among the scattered cabins between the Chowan and the ocean ?

Albemarle had been increased by fresh emigrants from New England, and by a colony of ship-builders from the Bermudas,² who lived contentedly with Stevens as chief magistrate, under a very wise and simple form of government. A few words express its outlines ; a council of twelve, six named by the proprietaries, and six chosen by the assembly ; an assembly, composed of the governor, the council, and twelve delegates from the freeholders of the incipient settlements,—formed a government worthy of popular confidence. No interference from abroad was anticipated ; for freedom of religion, and security against taxation, except by the colonial legislature, were solemnly conceded. The colonists were satisfied ; the more so, as their lands were confirmed to them, by a solemn grant, on the terms which they themselves had proposed.³

1668.
May
1.

The authentic record of the legislative history of North Carolina, begins with the autumn of 1669,⁴

¹ W. Talbot's Dedication of Lederer's Discoveries. So, too, Wilson, in the Dedication, in 1682, to his tract on Carolina.

² Martin, i. 142.

³ Williamson, i. 259. Martin, i. 146.

⁴ Chalmers, 525, 555, from pro-

CHAP. when the legislators of Albemarle, ignorant of the
 XIII. scheme which Locke and Shaftesbury were maturing,
 1669. framed a few laws, which, however open to objection,
 were suited to the character, opinions, and manners, of
 the inhabitants, and which, therefore, endured long
 after the designs of Locke were abandoned in despair.
 New settlements invite the adventurer and welcome
 the needy. The strictest rule for the recovery of
 debts, so much desired in mercantile communities,
 where large trusts are necessarily reposed in indi-
 viduals, and where delay becomes a failure, was not
 suited to the less anxious lives and the universal
 hospitality of a purely agricultural community. The
 planters of Albemarle, giving a five years' security to
 the emigrant debtor, enacted that none should for five
 years be sued for any cause of action arising out of
 the country. Marriage was made a civil contract,
 requiring for its validity nothing more than the consent
 of parties before a magistrate with witnesses. New
 settlers were exempted from taxation for a year. Was
 it the care for peace, or the instinct of monopoly,
 which prohibited strangers from trading with the
 neighboring Indians? As every adventurer who joined
 the colony received a bounty in land, frauds were
 checked by withholding a perfect title, till the emigrant
 should have resided two years in the colony. The
 members of this early legislature probably received no
 compensation; to meet the expenses of the governor
 and council, a fee of thirty pounds of tobacco was
 exacted in every lawsuit. Such was the simple
 legislation of men, who, being destitute of fortune, had

prietary papers, and therefore the
 nearest approach to original author-
 ity. Martin, i. 145, changes the
 date on inconclusive arguments.

The assembly referred to in the
 grant of May 1, 1663, must have
 been an earlier assembly.

roamed in quest of it. The laws were sufficient, were confirmed by the proprietaries, were reënacted in 1715, and were valid in North Carolina for more than half a century.¹ CHAP.
XIII.

Hardly had these few laws been established, when the new constitution was forwarded to Albemarle, and the governor was doomed to repeated fruitless attempts at its introduction. The nature of the people rendered its introduction impossible; and its promulgation did but favor anarchy by invalidating the existing system, which it could not replace. The proprietaries, contrary to stipulations with the colonists, superseded the existing government; and the colonists resolutely rejected the substitute. 1670
to
1674.

Far different was the welcome with which the people of North Carolina met the first messengers of religion. From the commencement of the settlement, there seems not to have been a minister in the land; there was no public worship but such as burst from the hearts of the people themselves, if at times natural feeling took the form of words, and the planters hailed Heaven as they went forth to the tasks of the morning. But man is by nature prone to religious impressions; and when at last William Edmundson came to visit his Quaker brethren among the groves of Albemarle, "he met with a tender people;"² delivered his doctrine "in the authority of truth," and made converts to the society of Friends. A quarterly meeting of discipline was established; and the sect, of which opposition to spiritual authority is the badge, was the first to organize a religious government in Carolina.³ 1672.

¹ Martin, i. 146.
VOL. II.

² Fox's Journal, 453.
20

³ Martin, i. 155, 156.

CHAP.
XIII.

1672. In the autumn of the same year, George Fox, the father of the sect, the upright man, who could say of himself, "What I am in words, I am the same in life,"¹ travelled across "the great bogs," of the Dismal Swamp, commonly "laying abroad anights in the woods by a fire," till at last he reached a house in Carolina, and obtained the luxury of a mat by the fireside. Carolina had ever been the refuge of Quakers and "renegadoes"² from ecclesiastical oppression; and Fox was welcomed to their safe asylum. The people "lived lonely in the woods," with no other guardian to their solitary houses than a watch-dog. There have been religious communities, which, binding themselves by a vow to a life of study and reflection, have planted their monasteries in the solitudes of the desert, on the place where they might best lift up their hearts to contemplative enjoyments. Here was a colony of men from civilized life, scattered among the forests, hermits with wives and children, resting on the bosom of nature, in perfect harmony with the wilderness of their gentle clime. With absolute freedom of conscience, benevolent reason was the simple rule of their conduct. Such was the people to whom George Fox explained the beautiful truth that gives vitality to his sect, "opening many things concerning the light and spirit of God that is in every one," without distinction of education or race. He became the guest of the governor of the province, who, with his wife, "received him lovingly." The plantations of that day were upon the bay, and along the streams that flow into it; the rivers and the inlets were the highways of Carolina; the boat and the lighter birchen skiff the only

¹ Fox, 345.

² Lord Culpepper, in Chalmers, 356.

equipage; every man knew how to handle the oar; and there was hardly a woman in the land but could paddle a canoe.¹ As Fox continued his journey, the governor, having been admonished to listen to the voice of truth in the oracles of nature, accompanied him to the water's edge; and, as the chief magistrate of North Carolina and the envoy of humanity travelled together on foot through the ancient woods, it might indeed have seemed, far more than in the companionship of Shaftesbury and Locke, that the days of the legislation of philosophy were about to be revived. For in the character of his wisdom, in the method of its acquisition by deep feeling, reflection, and travel, and in its fruits, George Fox far more nearly resembled the simplicity of the ancient sages, the peers of Thales and Solon, whom common fame has immortalized. From the house of the governor the traveller continued his journey to the residence of "Joseph Scot, one of the representatives of the country," where he had "a sound and precious meeting" with the people. His eloquence reached their hearts, for he did but assert the paramount value of the impulses and feelings which had guided them in the wilderness. George Fox "had a sense of all conditions;" for "how else could he have spoken to all conditions?"² At another meeting, "the chief secretary of the province," who "had been formerly convinced," was present; and Fox became his guest, yet not without "much ado;" for, as the boat approached his plantation, it grounded in the shallow channel, and could not be brought to shore. But a little skiff shot promptly to the traveller's

CHAP.
 XIII.
 1672.

¹ Comp. Lawson, 84. So, too, Fox, 65. The visit to Carolina, at pp. 458, &c. Philadelphia stereotype edition.
 Brickell's Natural Hist. of N. C. p. 33.

CHAP. relief; the wife of the secretary of state came herself
XIII. in a canoe, and brought him to her hospitable home.

1672. As Fox turned again towards Virginia, he could say that he had found the people of North Carolina "generally tender and open;" and that he had made among them "a little entrance for truth." If the introduction of the constitutions of Locke had before been difficult, it was now become impossible.

While it was thus practically uncertain what was
1674. the government of North Carolina, the country was left without a governor by the death of Stevens. The assembly, conforming to a prudent instruction of the proprietaries, elected a successor; and Cartwright, their speaker, acted for two years at the head of the
1674 to administration. But the difficulty of introducing the
1676. model did not diminish; and, having failed to preserve order, Cartwright resolved to lay the state of the country before the proprietaries, and embarked for England. At the same time, the representatives of
1676. Albemarle sent Eastchurch, the new speaker of their assembly, to explain their grievances.

It marks, in some measure, a good disposition in the proprietaries, that they selected Eastchurch, the messenger from the colony, to be its governor; but Miller, whom the colonists had formerly driven into Virginia, was at the same time appointed secretary of the province and collector of the customs; and the constitutions and act of navigation could never be acceptable.

There was little direct commerce between Albemarle and England; the new officers embarked for Carolina by way of the West Indies, where Eastchurch remained for a season; while Miller proceeded to the
1677. province, in which he was now to hold the triple office
July. of president or governor, secretary, and collector.

The government had for about a year been left in what royalists called "ill order and worse hands;"¹ that is, it had been a government of the people themselves, favoring popular liberty, even to the protection of the friends of colonial independence. The suppression of a fierce insurrection of the people of Virginia, had been followed by the vindictive fury of ruthless punishments; and "runaways, rogues, and rebels," that is to say, fugitives from arbitrary tribunals, non-conformists, and friends to popular liberty, "fled daily to Carolina, as their common subterfuge and lurking-place." Did letters from the government of Virginia demand the surrender of leaders in the rebellion, Carolina refused to betray the fugitives who sought shelter in her forests.²

CHAP.
XIII.
1677.

The presence of such emigrants made oppression more difficult than ever; but here, as throughout the colonies, the navigation acts were the cause for greater restlessness and more permanent discontent. And never did national avarice exhibit itself more meanly than in the relations of English legislation to North Carolina. The whole state hardly contained four thousand inhabitants;³ a few fat cattle, a little maize, and eight hundred hogsheads of tobacco, formed all their exports; their humble commerce had attracted none but small vessels from New England; and the mariners of Boston, guiding their vessels through the narrow entrances of the bay, brought to the doors of the scattered planters the few foreign articles which

¹ Proprietaries, in Williamson, i. 262.

² Berry and Morrison, in Burk's Virginia, ii. 259. Martin, i. 166, interprets runaways to mean negroes. The whole tenor of the document

and the context hardly favors his interpretation; runaways seem to have been fugitives from what the royalists called justice.

³ Chalmers, 533. The accounts of the population are contradictory.

CHAP. the exchange of their produce could purchase. And
 XIII. yet this inconsiderable traffic, so little alluring, but so
 1677. convenient to the colonists, was envied by the English
 merchant; the law of 1672 was now to be enforced;
 the traders of Boston were to be crowded from the mar-
 ket by an unreasonable duty; and the planters to send
 their harvests to England as they could.¹

How unwelcome, then, must have been the pres-
 ence of Miller, who levied the hateful tribute of a
 penny on every pound of tobacco exported to New
 England! A jealousy of the northern colonies was
 also fostered; "they cannot," it was urged,² "be
 friends to the prosperity of Carolina, which will cer-
 tainly in time render them inconsiderable." But the
 antiquated prejudices of Europe were not to gain
 entrance beyond the Atlantic; and never did one
 American colony repine at the increase of another.
 The traffic with Boston continued, though burdened
 with a tax which produced an annual revenue of twelve
 thousand dollars—an enormous burden for the petty
 commerce and the few inhabitants of that day. Nor
 was this all; the traders were exposed to so much vio-
 lence and harshness from Miller, that they were with
 difficulty persuaded not to abandon the country.

The planters of Albemarle were men who had
 been led to the choice of their residence from a hatred
 of restraint, and had lost themselves among the woods
 in search of independence. Are there any who doubt
 man's capacity for self-government, let them study the
 history of North Carolina; its inhabitants were rest-
 less and turbulent in their imperfect submission to a
 government imposed on them from abroad; the admin-
 istration of the colony was firm, humane, and tranquil,

¹ Martin, i. 167.

² Chalmers, 534.

when they were left to take care of themselves. Any government but one of their own institution was oppressive. CHAP.
XIII.
1678.

The attempt at enforcing the navigation acts hastened an insurrection, which was fostered by the refugees from Virginia and the New England men; and which, having been the effect of deliberate contrivance,¹ was justified by the first American manifesto. It became the disciples of George Fox and the people of Carolina to act in harmony with their consciences, and to publish to the world the motives to their conduct. Excessive taxation, an abridgment of political liberty by the change in the form of government, with the "denial of a free election of an assembly," and the unwise interruption of the natural channels of commerce, were the threefold grievances of the colony. The leader in the insurrection was John Culpepper, one of those "very ill men" who loved popular liberty, and whom the royalists of that day denounced as having merited "hanging, for endeavoring to set the poor people to plunder the rich."² One of the counsellors joined in the rebellion;³ the rest, with Miller, were imprisoned; "that thereby the country may have a free parliament, and may send home their grievances."⁴ The events that followed prove the sincerity of this plea; for North Carolina was much infected with that passion for representative government, which was the epidemic of America. Having deposed and imprisoned the president and the deputies of the proprietaries, and set at nought the acts of parliament, the

¹ Papers in Williamson, i. 265.

² Williamson, i. 263.

³ Ibid. 266.

⁴ Manifesto. "The president hath denied a free election of an

assembly." This, Williamson, i. 134, classes among weak and flimsy arguments. Why should an apologist for Bacon clamor against Culpepper?

- CHAP. XIII. people recovered from anarchy, tranquilly organized a government, and established courts of justice. The
1678. insurrection was a deliberate rising of the people against the pretensions of the proprietaries and the laws of navigation; the uneducated population of that day formed conclusions as just as those which a century later pervaded the country. Eastchurch arrived in Virginia; but his commission and authority were derided; and he himself was kept out by force of arms;¹ while the insurgents, among whom was George Durant, the oldest landholder in Albemarle,
1679. having completed their institutions, sent Culpepper and another to England to negotiate a compromise. It proves in Culpepper a conviction of his own rectitude, that he did not hesitate to accept the trust.

But the late president and his fellow-sufferers, having escaped from confinement in Carolina, appeared also in England with adverse complaints. To a struggle between the planters and the proprietaries, the English public had been indifferent; but Miller presented himself as the champion of the navigation acts, and enlisted in his favor the jealous anger of the mercantile cities. Culpepper, just as he was embarking for America, was taken into custody, and his interference with the collecting of duties, which he was charged with embezzling, and which there is no reason to believe he had applied to other than public purposes, stimulated a prosecution; while his opposition to the proprietaries was held to justify an indictment for an act of high treason, committed without the realm.

A statute of Henry VIII.² was the authority for arraigning a colonist before an English jury—an act of

¹ Williamson, i. 264.

² 35 Henry VIII. c. 2.

tyranny against which Culpepper vainly protested, claiming "to be tried in Carolina, where the act was committed."—"Let no favor be shown him,"¹ said Lauderdale and the lords of the plantations. But when he was brought up for trial, Shaftesbury, who at that time was in the zenith of popularity, courted every form of popular influence, and, with clear sagacity, penetrated the injustice of the accusation, appeared in his defence, and procured his acquittal.² Thus was the insurrection in Carolina excused by the verdict of an English jury.

CHAP.
XIII.1680.
June.

But how should the proprietaries establish their authority in the plantations? Should they send an armed force to hunt the planters from their houses? The proprietaries had for the motive of their conduct the love of gain; and a violent government would have been too costly and unproductive an enterprise. Avarice, therefore, compelled moderation; and a compromise was offered. But a compromise was the confession of weakness. It was a natural expedient to send one of the proprietaries themselves to look after the interests of the company; and Seth Sothel, who had purchased the rights of Lord Clarendon, was selected for the purpose. But Sothel, on his voyage, was taken captive by the Algerines.

1679,
1680.

Meantime, the temporary government of Carolina, under Harvey, Jenkins, and Wilkinson, had been

1679
to
1682.

¹ Report in Williamson, i. 266.

² Chalmers, 537, and documents. Martin, i. 170, 171. Williamson, i. 133. Chalmers, with great consistency, condemned Culpepper, just as he condemned Bacon and Jefferson, Hancock and John Adams. But Williamson has allowed himself to be confused by the judgments of royalists, and, vol. i. p.

135, calls the fathers of North Carolina a set of "rioters and robbers." Shaftesbury and the English jury were more just than the historian. The fact that George Durant, one of the earliest settlers, was concerned in the insurrection, identifies it with the genuine people, the old inhabitants of Carolina.

- CHAP. abandoned, or intrusted by the proprietaries to the
 XIII. friends of the insurgents. I find the name of
 1680. Robert Holden,¹ Culpepper's associate and colleague,
 as receiver-general, while "the traitor, George Du-
 rant,"² quietly discharged the duty of a judge.
 "Settle order amongst yourselves,"³ wrote the pro-
 1681. prietaries; and order had already been settled by the
 wise moderation of the government.⁴ Would the dis-
 ciples of Fox subscribe to the authority of the propri-
 1680. etaries? "Yes," they replied, "with heart and hand,
 July to the best of our capacities and understandings, so
 31. far as is consonant with God's glory and the advance-
 ment of his blessed truth;"⁵ and the restricted promise
 1681. was accepted. An act of amnesty, on easy condi-
 tions, was adopted; but the feeling of personal inde-
 pendence, and the very nature of life in the New
 World, were firmer guaranties of security than all
 promises of pardon.

It is said that the popular administration did not wholly refrain from persecuting the few royalists in the province;⁶ but, if complaints were made, no act of injustice appears to have required the

¹ MSS. communicated to me by D. L. Swain.

² Same manuscripts.

³ Chalmers, 539.

⁴ I narrowly escaped being deceived by the passage in Martin, i. 173. "President Harvey, whom he (Wilkinson) relieved," &c. How could a man write so carelessly and so positively? Harvey was president but a few months; and "those implicated in the late revolt" were the dominant party. It is not history which is treacherous, but hasty writers, who are credulous and careless. I was saved from trusting Martin by Williamson, i. 137, who speaks of John Jenkins as governor; and still more by MSS. liberally furnished me by the

late governor of North Carolina. Harvey had ceased to be governor in June, 1680.

⁵ MSS. from D. L. Swain, copied from the records of Berkley Precinct.

⁶ The passage in Chalmers, 539, nearly resembles many similar ones in his volume. His account, in all cases of the kind, must be received with great hesitancy. The coloring is always wrong; the facts usually perverted. He writes like a lawyer and a disappointed politician; not like a calm inquirer. His statements are copied by Graham, obscured by Martin, and, strange to say, exaggerated by Williamson, i. 138.

rebuke of the proprietaries, or the censure of the sovereign. It is certain, that Sothel, on reaching the colony, found tranquillity established. The counties were quiet and well regulated, because not subjected to a foreign sway; the planters, in peaceful independence, enjoyed the good will of the wilderness. Sothel arrived, and the scene was changed.

CHAP.
XII.

1683.

Sothel was of the same class of governors with Cranfield of New Hampshire. He was one of the eight proprietories, and had accepted the government in the hope of acquiring a fortune. From among many as infamous as himself, historians have selected him as the most infamous.¹ Many colonial governors displayed rapacity and extortion towards the people; Sothel cheated his proprietary associates, as well as plundered the colonists. To the colonists he could not be acceptable, for it was his duty to establish the constitutions, and enforce the navigation acts. To introduce the constitutions was impossible, unless for one who could transform a log cabin into a baronial castle, a negro slave into a herd of leet-men. And how could one man, without soldiers, and without a vessel of war, enforce the navigation acts? Having neither the views nor the qualities of a statesman, Sothel had no higher purpose than to satiate his sordid passions; and, like so many others, employed his power to gratify his covetousness, by exacting unjust fees, or by engrossing traffic with the Indians. His object was money; he valued his office as the means of gaining it. That the charges against him are vague, extending in no case to loss of life, or to any specific act of cru-

1683
to
1688.

¹ Chalmers, 539. All are agreed in the sordid worthlessness of Sothel. But Williamson; i. 270, must be compared with Williamson, i.

209, 210, where an accuser of Sothel is himself proved before a jury to have been "a cheating rogue."

CHAP.
XIII

elty, seems to prove that his avarice was not unusually exorbitant. Had he done much more than practise the usual arts of exaction with which nearly every royal province was becoming familiar? But the people of North Carolina, already experienced in rebellion, 1688. having borne with him about five years, at length deposed him without bloodshed, and appealed once more to the proprietaries. It is conclusive proof that Sothel had committed no acts of wanton wickedness, that he preferred a request to submit his case to an assembly, fearing the colonists, whom he had pillaged, less than the men whom he had betrayed. His request was granted, and the colony condemned him to a twelve months' exile, and a perpetual incapacity for the government.¹

Here was a double grief to the proprietaries; the rapacity of Sothel was a breach of trust; the judgment of the assembly an ominous usurpation. The planters of North Carolina recovered tranquillity so soon as they escaped the misrule from abroad; and, sure of amnesty, esteemed themselves the happiest people on earth. They loved the pure air and clear skies of their "summer land."² True, there was no fixed minister in the land till 1703;³ no church erected till 1705; no separate building for a court-house till 1722; no printing-press till 1754.⁴ Careless of religious sects, or colleges, or lawyers, or absolute laws, the early settlers enjoyed liberty of conscience and personal independence; freedom of the forest and of the river. The children of nature listened to the inspirations of nature. From almost every plantation they enjoyed a

¹ Compare Chalmers, 539, 540. Williamson, i. 136—141; Martin, i. 176, 186.—Hewat, i. 103, 104, writes confusedly.

² Lawson, 63, 80.

³ Martin, i. 218, 219.

⁴ Thomas's History of Printing, ii. 150.

noble prospect of spacious rivers, of pleasant meadows, enamelled with flowers; of primeval forests, where the loftiest branches of the tulip-tree or the magnolia were wrapped in jasmines and honeysuckles. For them the wild bee stored its honey in hollow trees; for them unnumbered swine fattened on the fruits of the forest or the heaps of peaches; for them, in spite of their careless lives and imperfect husbandry, cattle multiplied on the pleasant savannahs; and they desired no greater happiness than they enjoyed.¹ What though Europe was rocked to its centre by commotions? What though England was changing its constitution? Should the planter of Albemarle trouble himself for Holland or France? for James II. or William of Orange? for a popish party or a high church party? Almost all the American colonies were chiefly settled by those to whom the uniformities of European life were intolerable; North Carolina was settled by the freest of the free; by men to whom the restraints of other colonies were too severe; they were not so much caged in the woods as scattered in lonely granges. There was neither city nor township; there was hardly even a hamlet, or one house within sight of another; nor were there roads, except as the paths from house to house were distinguished by notches in the trees.² But the settlers were gentle in their tempers, of serene minds, enemies to violence and bloodshed. Not all the successive revolutions had kindled vindictive passions; freedom, entire freedom, was enjoyed without anxiety as without guaranties; the charities of life were scattered at their feet, like the flowers on their meadows; and the spirit of humanity

CHAP.
XIII.¹ Brickell, 32, 46, 91, 154, 256, 259.² Brickell, 262, 263.

CHAP. maintained its influence in the Arcadia, as royalist
XIII. writers will have it, "of rogues and rebels," in the
paradise of Quakers.

Of South Carolina, the first settlement was founded by the proprietaries, and resembled in its origin an investment of capital by a company of land-jobbers, who furnished the emigrants with the means of embarking for America, established on its shores their own commercial agent, and undertook for themselves the management of all commercial transactions. But success attended neither the government which they established, nor the industry which they fostered. Self-government, in private labors and in public administration, alone possesses the elasticity which can have due reference to the materials of society, and adapt itself to every emergency and condition. South Carolina was a scene of turbulence till the constitutions were abandoned; and industry was unproductive till the colonists despised patronage and relied on themselves.

1670. It was in January, 1670, more than a month before
Jan. the Grand Model was signed, a considerable number of emigrants set sail for Carolina, which, both from climate and soil, was celebrated in advance as "the beauty and envy of North America."¹ They were conducted by Joseph West, as commercial agent for the proprietaries, and by William Sayle, who was probably a Presbyterian, and having more than twenty years before made himself known as leader in an attempt to plant an "Eleutheria" in the isles of the Gulf of Florida, was now constituted a proprietary governor, with jurisdiction extending as far north as Cape Carteret, as far south as the Spaniards would tolerate.

¹ Talbot, in dedication of Lederer.

Having touched at Ireland and Bermuda,¹ the ships which bore the company entered the well-known waters where the fleet of Ribault had anchored, and examined the site where the Huguenots had engraved the lilies of France, and erected the fortress of Carolina.² But the vicinity of Beaufort was not destined to harbor the first colony of the English; the emigrants, after short delay,³ sailed into Ashley River, and on "the first high land," in a spot that seemed "convenient for tillage and pasturing," the three⁴ shiploads of emigrants, who as yet formed the whole people of South Carolina, selected their resting-place, and began their first town. Of this town not a vestige remains, except the line of a moat, which served as a defence against Indians. Every log-house has vanished, and the site is absorbed in a plantation.⁵ Yet, few as were the settlers, who had come to take possession of the vast hunting-grounds of the natives, no immediate danger was apprehended; epidemic sickness and sanguinary wars had swept away the ancient tribes, and left the neighboring coasts almost a desert.⁶

An historian of South Carolina⁷ has related, that the

¹ Chalmers, 529, says Barbadoes; perhaps inadvertently. Dalcho, Hist. of Prot. Ep. Church in S. C., p. 9, shows it to have been Bermuda. Dalcho is very useful for the early history of S. C., and is more scrupulous than Ramsay.

² Ramsay, i. 34 and 2.

³ Ramsay says, i. 2, in 1671. He is in error. See Dalcho, 9. See, also, Dalcho, p. 10, where it appears that, May 1, 1671, it was known in England that the colony had planted on Ashley River. There is no evidence that the ships did more than sail into the harbor of Port Royal,

and, after a survey, sail out again. Chalmers, 530, favors the error into which Ramsay subsequently fell. Wilson, in his Carolina, p. 7, says nothing of Port Royal. "Ashley River first settled in 1670."

⁴ Wilson's Carolina, 7.

⁵ Drayton's S. Carolina, 200.

⁶ Archdale's Carolina, 2. I am indebted to P. Ravenel, of Charleston, a descendant of the Huguenots, for this work, and other valuable materials.

⁷ Ramsay, i. 34, 35. The error is clearly refuted in Dalcho, 11 and 16. Comp. Chalmers, 529.

- CHAP. XIII.
 1670. emigrants at first submitted to "a species of military government." This is error. The emigrants had hardly landed, before they instituted a government on the basis of liberty. An unfinished copy of the fundamental constitutions had been furnished them; but it was indeed impossible "to execute the grand model." As easily might trees have been turned into cathedrals, or castles, at a word, erected in those solitary groves on the savannahs, that resembled the parks in England; ¹ the laws of the moral world are unyielding. A parliamentary convention was held; five members of the grand council were elected to act with five whom the proprietaries had appointed; the whole body possessed a veto on the executive; and, with the governor and twenty delegates, who were now elected by the people, constituted the legislature of the province. Representative government was established, and continued to be cherished. In 1672, all previous parliaments and parliamentary conventions were dissolved; for the colonists, now rapidly increasing, demanded "a new parliament." Such was the government which South Carolina instituted for herself; it did not deem it possible to conform more closely to the constitutions. But the proprietaries indulged the vision of realizing their introduction. John Locke, with Sir John Yeamans and James Carteret, was
 1671. created a landgrave; and a complete copy of the Model was sent over, with a set of rules and instructions. But Shaftesbury misjudged; there was already a people in South Carolina; and if the aristocratic council acknowledged the validity of the constitutions, they were firmly resisted by the popular representatives. Thus the organization of the commonwealth

¹ Wilson's Carolina, 11.

contained a political feud, and led to the party of the proprietaries and the party of the people; religious divisions combining with political feuds, the friends of the High Church, always a minority, favored the former, while all classes of dissenters united with the latter.

CHAP.
XIII.

Every early settlement is necessarily attended with great privations; the planting of Carolina did not encounter unusual hardships. The enterprising mind of Shaftesbury applied itself with zeal wherever he was interested; and, though the colony was at one moment so disheartened as to meditate desertion, the timely arrival of supplies scattered the clouds of despondency.¹ The Indians, though few, were unfriendly; and it was with arms at hand that the emigrants gathered oysters, or swept the rivers, or toiled at building. The labors of agriculture in the sultry clime were appalling to Englishmen; neither did the culture of European grains promise to be successful; but extreme distress did not ensue; and the proprietaries showed no intention of abandoning their plantation.

The first site for a town had been chosen without regard to commerce. The point between the two rivers, to which the names of Shaftesbury² were given, soon attracted attention; those who had obtained grants there, desirous of obtaining neighbors, willingly offered to surrender one half of their land as "commons of pasture." The offer was in part refused; but the neck of land then called Oyster Point, soon to become a village named from the reigning king, and, after more than a century, incorporated as the city of

¹ Hewat, i. 52.

² Wilson's Carolina, 7.

VOL. II.

na, by T. A., 1682, p. 37. "Shaftesbury a great patron to Carolina."

CHAP. XIII.
 1672. Charleston, immediately gained a few inhabitants ; and on the spot where opulence now crowds the wharves of the most prosperous mart on our southern seaboard, among ancient groves that swept down to the rivers' banks, and were covered with the yellow jasmine, which burdened the vernal zephyrs with its perfumes, the cabins of graziers began the city. Long afterwards, the splendid vegetation which environs Charleston, especially the pine, and cedar, and cypress trees along the broad road which is now Meeting street, delighted the observer by its perpetual verdure.¹ The settlement, though for some years it struggled against an unhealthy climate,² steadily increased ; and to its influence is in some degree to be attributed the love of letters, and that desire of institutions for education, for which South Carolina was afterwards distinguished.

The institutions of Carolina were still further modified by the character of the emigration that began to throng to her soil.

1671. The proprietaries continued to send emigrants, who were tempted by the offer of land³ at an easy quit-rent. Clothes and provisions were distributed to those who could not provide themselves.

1671. From Barbadoes arrived Sir John Yeamans, with African slaves.⁴ Thus the institution of negro slavery is coëval with the first plantations on Ashley River. Of the original thirteen states, South Carolina alone was from its cradle essentially a planting state with slave labor. In Maryland, in Virginia, the custom of employing indented servants long prevailed ; and the class of her white laborers was always numerous ; for no

¹ Dalcho, 15—20. Archdale.

³ Chalmers, 529. Dalcho, 19.

² Ramsay, ii. 70. Chalmers, 541.

⁴ Dalcho, 13. Hewat, i. 53.

where in the United States is the climate more favorable to the Anglo-Saxon laborer than in Virginia. It was from the first observed that the climate of South Carolina was more congenial to the African than that "of the more northern colonies;"¹ and at once it became the great object of the emigrant "to buy negro slaves, without which," adds Wilson, "a planter can never do any great matter."² Every one of the colonies received slaves from Africa within its borders; the Dutch merchants, who engaged in planting New York, were largely interested in the slave trade, and covenanted to furnish emigrants to that colony with all the negroes they might desire; but the stern severity of the climate in some measure defeated the purpose. In South Carolina, the labor of felling the forests, of tilling the soil, was avoided by the white man; climate favored the purposes of commercial avarice; and the negro race was multiplied so rapidly by importations, that in a few years, we are told, the blacks were to the whites in the proportion of twenty-two to twelve;³ a proportion that had no parallel north of the West Indies.

The changes that were taking place on the banks 1671. of the Hudson, had excited discontent; the rumor of wealth to be derived from the fertility of the south, cherished the desire of emigration; and almost within a year from the arrival of the first fleet in Ashley River, two ships came with Dutch emigrants from New York, and were subsequently followed by others of their countrymen from Holland.⁴

¹ Wilson's Carolina, 15.

² Ibid. 17.

³ Letter from South Carolina, by a Swiss gentleman, p. 40.

⁴ Hewat, i. 73. More definite, Dalcho, p. 12. Ramsay, i. 4, errs in his date. The voyage was in 1671, not in 1674.

CHAP
XIII.

- Imagination already regarded Carolina as the chosen spot for the culture of the olive; and, in the region where flowers bloom every month in the year, forests of orange-trees were to supplant the groves of cedar; silkworms to be fed from plantations of mulberries; and choicest wines to be ripened under the genial influences of a nearly tropical sun. For this end Charles II., with an almost solitary instance of munificence towards a colony, provided at his own expense two small vessels, to transport to Carolina a few foreign Protestants, who might there domesticate the productions of the south of Europe.¹
1679. April. From England, also, emigrations were considerable.
1670. to
1688. The character of the proprietaries was a sufficient invitation to the impoverished Cavalier; and the unfortunate of the church of England could look to the shores of Carolina as the refuge where they were assured of favor. Even Shaftesbury, when he was committed to the Tower, desired leave to expatriate himself, and become an inhabitant of Carolina.²
1681. July.

Nor did churchmen alone emigrate. The condition of dissenters in England was no longer a state of security or liberty; and the promise of equal immunities tempted many of them beyond the Atlantic, to colonies where their worship was tolerated, and their civil rights asserted. Of these, many were attracted to the glowing clime of Carolina, carrying with them intelligence, industry, and sobriety. A contemporary

1683. historian commemorates with singular praise the company of dissenters from Somersetshire, who were conducted to Charlestown by Joseph Blake, brother to the gallant admiral, so celebrated for naval genius and

¹ Chalmers, 541. Ramsay, ii. 5. ² Lingard's England, xiii. c. vii. Carolina, by T. A. p. 8, 9.

love of country. Blake was already advanced in life ; but he could not endure the present miseries of oppression, and feared still greater evils from a popish successor ;¹ and he devoted to the advancement of emigration all the fortune which he had inherited as the fruits of his brother's victories. Thus the plunder of the wealth of New Spain assisted to people Carolina.

CHAP.
XIII.

A colony of Irish, under Ferguson, were lured by the fame of the fertility of the south, and were received with so hearty a welcome, that they were soon merged among the other colonists.²

The condition of Scotland, also, compelled its inhabitants to seek peace by abandoning their native country. Just after the death of Shaftesbury, a 1683. scheme, which had been concerted during the tyranny of Lauderdale, was revived. Thirty-six noblemen and gentlemen had entered into an association for planting a colony in the New World ; their agents had contracted with the patentees of South Carolina for a large district of land, where Scottish exiles for religion might enjoy freedom of faith and a government of their own.³ Yet the design was never completely executed. A gleam of hope of a successful revolution in England, led to a conspiracy for the elevation of Monmouth. The conspiracy was matured in London, under pretence of favoring emigration to America ; and its ill success involved its authors in danger, and brought Russell and Sydney to the scaffold. It was, therefore, with but a small colony, that the Presbyterian Lord Cardross, many of whose friends had suffered imprisonment, the rack, and death itself, and who had him-

¹ Oldmixon, i. 337, 338, and 341.
Oldmixon is here good authority.
Comp. Hewat, i. 89.

² Chalmers, 543.

³ Wodrow, ii. 230. Laing, iv. 133.

CHAP. self been persecuted under Lauderdale,¹ set sail for
 XIII. Carolina. But even there the ten families of outcasts
 1684. found no peace. They planted themselves at Port
 Royal;² the colony of Ashley River claimed over them
 a jurisdiction which was reluctantly conceded. Car-
 dross returned to Europe, to render service in the
 approaching revolution; and the Spaniards, taking
 umbrage at a plantation established on ground which
 they claimed as a dependency of St. Augustine,
 1686. invaded the frontier settlement, and laid it entirely
 waste. Of the unhappy emigrants, some returned to
 Scotland; some mingled with the earlier planters of
 Carolina.³

More than a hundred years had elapsed since Coligny, with the sanction of the French monarch, had selected the southern regions of the United States as the residence of Huguenots. The realization of that design, in defiance of the Bourbons, is the most remarkable incident in the early history of South Carolina, and was the result of a persecution, which not only gave a great addition to the intelligence and moral worth of the American colonies, but, for Europe, hastened the revolution in the institutions of the age.

John Calvin, by birth a Frenchman, was to France the apostle of the reformation; but his faith had ever been feared as the creed of republicanism; his party had been pursued as the sect of rebellion; and it was only by force of arms, that the Huguenots had obtained a conditional toleration. Even the edict of Nantz placed their security, not on the acknowledgment of the permanent principle of legislative justice,

¹ Laing, iv. 72.

² Ramsay says, in 1682.


³ Archdale, 14. Hewat, i. 89.

Chalmers, 547, 548. Ramsay, i.
 127. Laing, iv. 187.

but on a compromise between contending parties. It was but a confirmation of privileges which had been extorted from the predecessors of Henry IV. And yet it was the harbinger of religious peace ; so long as the edict of Nantz was honestly respected, the Huguenots of Languedoc were as tranquil as the Lutherans of Alsace. But their tranquillity invited from their enemies a renewal of attacks ; no longer a powerful faction, they were oppressed with rigor ; having ceased to be feared, they were exposed to persecution.

CHAP.
XIII.

When Louis XIV. approached the borders of age, he was troubled by remorse ; the weakness of superstition succeeded to the weakness of indulgence ; and the flatteries of bigots, artfully employed for their own selfish purposes, led the vanity of the monarch to seek, in making proselytes to the church, a new method of gaining glory, and an atonement for the voluptuous profligacy of his life. Louis was not naturally cruel, but was an easy dupe of those in whom he most confided—of priests, and of a woman. The daughter of an adventurer,—for nearly ten years of childhood a resident in the West Indies, educated a Calvinist, but early converted to the Roman faith,—Madame de Maintenon, had, in the house of a burlesque poet, learned the art of conversation, and, in the intimate society of Ninon de l'Enclos, had studied the mysteries of the passions. Of a clear and penetrating mind, of a calculating judgment, which her calm imagination could not lead astray, she never forgot her self-possession in a generous transport, and was never mastered even by the passions which she sought to gratify. Already advanced in life when she began to attract the attention of the king, whose character she profoundly understood, she sought to inthrall his mind by

CHAP. XIII.  the influences of religion ; and, becoming herself devout, or feigning to be so, always modest and discreet, she knew how to awaken in him compunctions which she alone could tranquillize, and subjected his mind to her sway by substituting the sentiment of devotion for the passion of love. The conversion of the Huguenots was to excuse the sins of his earlier years. They, like herself, were to become reconciled to the church ; yet not by methods of violence. Creeds were to melt away in the sunshine of favor, and proselytes to be won by appeals to interest.

Huguenots were, therefore, to be employed no longer in public office ; they were, as far as possible, excluded from the guilds of tradesmen and mechanics ; and a Calvinist might not marry a Roman Catholic wife. Direct bribery was also employed ; converts were purchased ; and, as it seemed not unreasonable that, where money is paid, a bargain should be fulfilled, severe laws punished a relapse.

The multitude may always defend itself against the pride of any one, by claiming for itself a collective wisdom superior to that of the wisest individual. The same is true of the moral qualities ; there exists in the many a force of will which no violence can break, a firmness of conviction which no bribery can undermine. The first methods of conversion were fruitless. Strange human nature ! In men who had taken a bribe for conversion, there often remained a principle strong enough to sustain them in returning to their first opinions, and in suffering for them.

Proselytism next invaded the most sacred rights of human nature, and children of seven years old were invited to abjure the faith of their fathers. The Hu-

guenots began to emigrate ; for their industry and skill made them welcome in every Protestant country ; and Louis, desiring to convert, not to expel, his subjects, forbade emigration, under penalty of the galleys. The ministers of the Calvinists were now tormented ; their chapels were arbitrarily razed ; their funds for charitable purposes confiscated ; their schools shut up ; their civil officers disfranchised. Did cruel oppression produce disobedience ? The rack and the wheel gave to Huguenots their martyrs.

At court, the triumph of the widow of Scarron, aided by the confessors, seemed complete ; but Louvois, the ambitious minister of war, could not brook this superior influence ; and, since the conversion of Huguenots was the path to the monarch's favor, he resolved to enlist the military resources of France in the service, and to "dagoon" the Calvinists into a reverence for the church. Instead of missionaries, soldiers were now sent into Calvinistic districts, to be quartered in Protestant families, and to torment them into conversion. Meantime, emigration was a felony, and the frontiers were carefully guarded to prevent it. The hounds were let loose on game shut up in a close park. Here was an invention which multiplied tyranny indefinitely, and lodged its lustful and ferocious passions under every roof, within the secret recesses of every family.

At length, the edict of Nantz was formally revoked. Calvinists might no longer preach in churches or in the ruins of churches ; all public worship was forbidden them ; and the chancellor Le Tellier could shout aloud, "Now, Lord, lettest thou thy servant depart in peace ;" even the eloquent Bossuet, in false

CHAP.
XIII.

1685.
Oct.
22

CHAP.
XIII.

rhetoric that reflects disgrace on his understanding and heart,¹ could declare the total overthrow of heresy ; while Louis XIV. believed his glory perfected by an absolute union of all dissenters with the Roman church.

But the extremity of danger inspired even the wavering with courage. What though they were exposed, without defence, to the fury of an unbridled soldiery, whom hatred of heretics had steeled against humanity? Property was exposed to plunder ; religious books were burned ; children torn from their parents ; faithful ministers, who would not abandon their flocks, broken on the wheel. Men were dragged to the altars, to be tortured into a denial of the faith of their fathers ; and a relapse was punished with extreme rigor. The approach of death removes the fear of persecution ; bigotry invented a new terror ; the bodies of those who died rejecting the sacraments, were thrown out to wolves and dogs. The mean-spirited, who changed their religion, were endowed by law with the entire property of their family. The dying father was made to choose between wronging his conscience by apostasy and beggaring his offspring by fidelity. All children were ordered to be taken away from Protestant parents ; but that law it was impossible to enforce ; nature will assert her rights. It became a study to invent torments, dolorous, but not mortal ; to inflict all the pain the human body could endure, and not die. What need of recounting the horrid enormities committed by troops whose commanders had been ordered “ to use the utmost rigor towards those who will not adopt the creed of the king ? to push to an

¹ Leurs faux pasteurs, &c. Oraison Fun. de Le Tellier. The insinuation was false.

extremity the vain-glorious fools who delay their conversion to the last?" What need of describing the stripes, the roastings by slow fires, the plunging into wells, the gashes from knives, the wounds from red-hot pincers, and all the cruelties employed by men who were only forbidden not to ravish nor to kill? The loss of lives cannot be computed. How many thousands of men, how many thousands of children and women, perished in the attempt to escape, who can tell? An historian has asserted that ten thousand perished at the stake, or on the gibbet and the wheel.¹

CHAP.
XIII.

But the efforts of tyranny were powerless. Truth enjoys serenely her own immortality; and opinion, which always yields to a clearer conviction, laughs violence to scorn. The unparalleled persecution of vast masses of men for their religious creed, occasioned but a new display of the power of humanity; the Calvinists preserved their faith over the ashes of their churches, and the bodies of their murdered ministers. The power of a brutal soldiery was defied by whole companies of faithful men, that still assembled to sing their psalms; and from the country and the city, from the comfortable homes of wealthy merchants, from the abodes of a humbler peasantry, from the workshops of artisans, hundreds of thousands of men rose up, as with one heart, to bear testimony to the indefeasible, irresistible right to freedom of mind.

Every wise government was eager to offer a refuge to the upright men who would carry to other countries the arts, the skill in manufactures, and the wealth of France. Emigrant Huguenots put a new aspect on the north of Germany, where they filled entire towns and sections of cities, introducing manufactures before

¹ Rulhière, *Œuvres*, v. 221.

CHAP.
XIII.

unknown. A suburb of London was filled with French mechanics; the prince of Orange gained entire regiments of soldiers, as brave as those whom Cromwell led to victory; a colony of them reached even the Cape of Good Hope. In our American colonies they were welcome every where. The religious sympathies of New England were awakened; did any arrive in poverty, having barely escaped with life?—the towns of Massachusetts contributed liberally to their support, and provided them with lands. Others repaired to New York; but the warmer climate was more inviting to the exiles of Languedoc, and South Carolina became the chief resort of the Huguenots. What though the attempt to emigrate was by the law of France a felony? In spite of every precaution of the police, five hundred thousand souls escaped from their country. The unfortunate were more wakeful to fly than the ministers of tyranny to restrain.

1685. "We quitted home by night, leaving the soldiers in their beds, and abandoning the house with its furniture," said Judith, the young wife of Pierre Manigault. "We contrived to hide ourselves for ten days at Romans, in Dauphigny, while a search was made for us; but our faithful hostess would not betray us."—Nor could they escape to the seaboard, except by a circuitous journey through Germany and Holland, and thence to England, in the depths of winter. "Having embarked at London, we were sadly off. The spotted fever appeared on board the vessel, and many died of the disease; among these, our aged mother. We touched at Bermuda, where the vessel was seized. Our money was all spent; with great difficulty we procured a passage in another vessel. After our arrival in Carolina,

we suffered every kind of evil. In eighteen months, our eldest brother, unaccustomed to the hard labor which we were obliged to undergo, died of a fever. Since leaving France, we had experienced every kind of affliction—disease, pestilence, famine, poverty, hard labor. I have been for six months, without tasting bread, working the ground like a slave ; and I have passed three or four years without having it when I wanted it. And yet,” adds the excellent woman, in the spirit of grateful resignation, “ God has done great things for us, in enabling us to bear up under so many trials.”

This family was but one of many that found a shelter in Carolina, the general asylum of the Calvinist refugees. Escaping from a land where the profession of their religion was a felony, where their estates were liable to be confiscated in favor of the apostate, where the preaching of their faith was a crime to be expiated on the wheel, where their children might be torn from them, to be subjected to the nearest Catholic relation,—the fugitives from Languedoc on the Mediterranean, from Rochelle, and Saintange, and Bordeaux, the provinces on the Bay of Biscay, from St. Quentin, Poitiers, and the beautiful valley of Tour, from St. Lo and Dieppe, men who had the virtues of the English Puritans, without their bigotry, came to the land to which the tolerant benevolence of Shaftesbury had invited the believer of every creed. From a land that had suffered its king, in wanton bigotry, to drive half a million of its best citizens into exile, they came to the land which was the hospitable refuge of the oppressed ; where superstition and fanaticism, infidelity and faith, cold speculation and animated zeal, were alike admitted without question, and where the fires of

CHAP. religious persecution were never to be kindled. There
XIII. they obtained an assignment of lands, and soon had tenements; there they might safely make the woods the scene of their devotions, and join the simple incense of their psalms to the melodies of the winds among the ancient groves. Their church was in Charleston; and thither, on every Lord's day, gathering from their plantations upon the banks of the Cooper, and taking advantage of the ebb and flow of the tide, they might all regularly be seen, the parents with their children, whom no bigot could now wrest from them, making their way in light skiffs along the river, through scenes so tranquil, that silence was broken only by the rippling of oars, and the hum of the flourishing village that gemmed the confluence of the rivers.

Other Huguenot emigrants established themselves on the south bank of the Santee, in a region which has since been celebrated for affluence and refined hospitality.

The United States are full of monuments of the emigrations from France. When the struggle for independence arrived, the son of Judith Manigault intrusted the vast fortune he had acquired to the service of the country that had adopted his mother; the hall in Boston, where the eloquence of New England rocked the infant spirit of independence, was the gift of the son of a Huguenot; when the treaty of Paris for the independence of our country was framing, the grandson of a Huguenot, acquainted from childhood with the wrongs of his ancestors, would not allow his jealousies of France to be lulled, and exerted a powerful influence in stretching the boundary of the states to the Mississippi. On our north-eastern frontier state,

the name of the oldest college bears witness to the wise liberality of a descendant of the Huguenots. CHAP.
XIII.
The children of the Calvinists of France have reason to respect the memory of their ancestors.¹

It has been usual to relate, that religious bigotry denied to the Huguenot emigrants immediate denization. Religious bigotry never disgraced South Carolina; if full hospitality was for a season withheld, the delay grew out of a controversy in which all Carolinians had a common interest, and the privileges of citizenship were conceded so soon as it could be done 1697. by Carolinians themselves. For it was not yet determined with whom the power of naturalizing foreigners resided, nor how Carolina should be governed. The great mass of the people was intent on framing their own institutions; and collisions with the lords proprietors long kept the government in confusion.

For the proprietary power was essentially weak. The company of courtiers, which became no more than a partnership of speculators in colonial lands, had not sufficient force to resist foreign violence or assert domestic authority. It could derive no strength but from the colonists themselves, or from the crown. But the colonists connected self-protection with the right of self-government, and the crown would not incur expense, except on a surrender of the jurisdiction. Thus the proprietary government, having its organ in the council, could prolong its existence only by concessions, and was destined by its inherent weakness to

¹ Rulhière, *Éclaircissements sur les Causes de la Révocation de l'Édit de Nantes*, in the 5th vol. of his works; an important work on this subject. Voltaire, *Siècle de Louis XIV.* c. xxxvi. Ancillon, (himself a descendant of Huguenots,) *Tableau, &c.* tom. iv. c. xxiii. For

America, Ramsay's *Carolina*, i. 5-8. Dan. Ravenel, in (Charleston) *City Gazette*, for May 12 and 15, 1826. Holmes, in *Mass. Hist. Coll.* xxii. 1-83.

CHAP. be overthrown by the popular party which was favored
XIII. by the commons.

1670. At first the proprietaries acquiesced in a government which had little reference to the constitutions. The first governor had sunk under the climate and the hardships of founding a colony. His successor, Sir

1671. John Yeamans, was a sordid calculator, bent on acquiring a fortune. He encouraged his employers in expense, and enriched himself, without gaining respect or hatred. "It must be a bad soil," said his weary

1674. employers, "that will not maintain industrious men, or we must be very silly that would maintain the idle." If they continued their outlays, it was in hopes of seeing vineyards, and olive-groves, and plantations, established; they refused supplies of cattle, and desired returns in compensation for their expenditures.

• 1674 The moderation and good sense of West were able
to
1683. to preserve tranquillity for about nine years; but the lords, who had first purchased his services by the grant of all their merchandise and debts in Carolina, in the end dismissed him from office, on the charge that he favored the popular party.

The continued struggles with the proprietaries hastened the emancipation of the people from their rule; but the praise of having been always in the right cannot be awarded to the colonists. The latter claimed the right of weakening the neighboring Indian tribes by a partisan warfare, and a sale of the captives into West Indian bondage; their antagonists demanded that the treaty of peace with the natives should be preserved.¹ Again, the proprietaries offered some favorable modifications of the constitutions; the colonists respected the modifications no more than the

¹ Archdale, 13, 14. Hewat, i. 78. Chalmers, 542, 543.

original laws. A rapid change of governors augmented the confusion. There was no harmony of interests between the lords paramount and their tenants, or of authority between the executive and the popular assembly. As in all other colonies south of the Potomac, colonial legislation did not favor the collection of debts that had been contracted abroad; the proprietaries demanded a rigid conformity to the cruel and intolerant method of the English courts. It had been usual to hold the polls for elections at Charleston only; as population extended, the proprietaries ordered an apportionment of the representation; but Carolina would not allow districts to be carved out and representation to be apportioned from abroad; and the useful reformation could not be adopted till it was demanded and effected by the people themselves.

England had always favored its merchants in the invasion of the Spanish commercial monopoly; had sometimes protected pirates; and Charles II. had conferred the honors of knighthood on a freebooter. The treaty of 1667 changed the relations of the pirate and the contraband trader. But men's habits do not change so easily; and in Carolina, especially after Portroyal had been laid waste by the Spaniards, there were not wanting those who regarded the bucaniers as their natural allies against a common enemy;¹ and thus opened one more issue with the proprietaries.

When the commerce of South Carolina had so increased that a collector of plantation-duties was appointed, a new struggle arose. The palatine court, careful not to offend the king, who, nevertheless, was not diverted from the design of annulling their charter by a process of law, gave orders that the acts of

¹ Hewat, i. 92, 93. Chalmers, 547, 548.

CHAP. navigation should be enforced. The colonists, who
 XIII
 1685. had made themselves independent of the proprietaries in fact, esteemed themselves independent of parliament of right. Here, as every where, the acts were indignantly resisted as at war with natural equity; here they were also hated as an infringement of the conditions of the charter, of which the validity was their motive to emigrate.

The pregnant cause of dissensions in Carolina could not be removed, till the question of powers should be definitively settled. The proprietaries were willing to believe, that the cause existed in the want of dignity and character in the governor. That affairs might be more firmly established, James Colleton, a brother of a proprietary, was appointed governor, with the rank of landgrave and an endowment of forty-eight thousand acres of land; but neither his relationship, nor his rank, nor his reputation, nor his office, nor his acres, could procure for him obedience; because the actual relations between the contending parties were in
 1686. no respect changed. When Colleton met the colonial
 Nov. parliament which had been elected before his arrival, a majority refused to acknowledge the binding force of the constitutions; by a violent act of power, Colleton, like Cromwell in a similar instance in English history, excluded the refractory members from the parliament. What could follow but a protest from the disfranchised members against any measures which might be adopted by the remaining minority?

1687. A new parliament was still more intractable; and the "standing laws" which they adopted were negatived by the palatine court.

From questions of political liberty, the strife between the parties extended to all their relations.

When Colleton endeavored to collect quit-rents, not only on cultivated fields, but on wild lands also, ^{CHAP. XIII.} direct insubordination ensued; and the assembly, 1687. imprisoning the secretary of the province, and seizing the records, defied the governor and his patrons, and entered on a career of absolute opposition.

Colleton resolved on one last desperate effort, and, 1689. pretending danger from Indians or Spaniards, called out the militia, and declared martial law. But who were to execute martial law? The militia were the people, and there were no other troops. Colleton was in a more hopeless condition than ever; for the assembly believed itself more than ever bound to protect the country against a military despotism. It was evident, the people were resolved on establishing a government agreeable to themselves. The English revolution of 1688 was therefore imitated on the banks of the Ashley and Cooper. Soon after William 1690. and Mary were proclaimed, a meeting of the representatives of South Carolina disfranchised Colleton, and banished him from the province.

CHAPTER XIV.

THE COLONIES ON THE CHESAPEAKE BAY.

CHAP. XIV. **FOR** more than eight years, "THE PEOPLE OF VIRGINIA" had governed themselves; and their government had been conducted with wise moderation. ¹⁶⁵²
^{to}
 1660. Tranquillity and a rapid increase of population promised the extension of its borders; and colonial life was sweetened by the enjoyment of equal franchises. No trace of established privilege appeared in its code or its government; in its forms and in its legislation, Virginia was a representative democracy; so jealous of a landed aristocracy, that it insisted on universality of suffrage; so hostile to the influence of commercial wealth, that it would not tolerate the "mercenary" ministers of the law; so considerate for religious freedom, that each parish was left to take care of itself. Every officer was, directly or indirectly, chosen by the people.

The power of the people naturally grew out of the character of the early settlers, who were, most of them, adventurers, bringing to the New World no wealth but enterprise; no rank but that of manhood; no privileges but those of Englishmen. The principle of the English law which grants real estate to the eldest born, was respected; but generations of Virginians had hardly as yet succeeded each other; the rule had produced no effect upon society, and, from the

beginning, had been modified in many counties by the custom of gavelkind.¹ Virginia could not imitate those great legislative reforms of the Long Parliament, because her happier soil was free from the burdens of forest laws and military tenures, courts of wards, and star-chambers. The tendency towards a multiplication of religious sects began already to be perceptible, under the freedom of a popular government. In its care for a regular succession of representative assemblies, Virginia exceeded the jealous friends of republican liberty in England; there triennial parliaments had been established by law; the Virginians, imitating the terms of the bill, claimed the privilege of a biennial election of their legislators.² In addition to the strength derived from the natural character of the emigrants, from the absence of feudal institutions, from the entire absence of the excessive refinements of legal erudition, and from the constitution, legislation, and elective franchises of the colonists, a new and undefined increase was gained by the universal prevalence of the spirit of personal independence. An instinctive aversion to too much government was always a trait of southern character, expressed in the solitary manner of settling the country, in the absence of municipal governments, in the indisposition of the scattered inhabitants to engage in commerce, to collect in towns, or to associate in townships under corporate powers. As a consequence, there was little commercial industry; and, on the soil of Virginia, there were no vast accumulations of commercial wealth. The exchanges were made almost entirely—

CHAP.
XIV.

¹ Jones's State of Virginia, p. 61.

² Hening, i. 517. The bill is modelled after the "act for preventing inconveniences happening by the

long intermission of parliament," passed by the commons of England in 1640.

CHAP. XIV. and it continued so for more than a century—by factors of foreign merchants. Thus the influence of wealth, under the modern form of stocks and accumulations of money, was always inconsiderable ; and men were so widely scattered—like hermits among the heathen—that far the smallest number were within reach of the direct influence of the established church or of government. In Virginia, except in matters that related to foreign commerce, a man's own will went far towards being his law.

Yet the germs of an aristocracy existed ; and there was already a tendency towards obtaining for it the sanction of colonial legislation. Unlike Massachusetts, Virginia was a continuation of English society. The first colonists were not fugitives from persecution ; they came, rather, under the auspices of the nobility, the church, and the mercantile interests of England ; they brought with them an attachment to monarchy ; a deep reverence for the Anglican church ; a love for England and English institutions. Their minds had never been disciplined into an antipathy to feudalism ; their creed had never been shaken by the progress of skepticism ; no new ideas of natural rights had as yet inclined them to "faction." The Anglican church was, therefore, without repugnance, sanctioned as the religion of the state ; and a religion established by law always favors aristocracy ; for it seeks support, not in conviction only, but in vested rights. The rise of the plebeian sects, which swarmed in England, was, for the present at least, prevented, and unity of worship, with few exceptions, continued for about a century from the settlement of Jamestown. The aristocracy of Virginia was, from its origin, exclusively a landed aristocracy ; its germ lay in the manner in which rights to the soil had

been obtained. For every person whom a planter should, at his own charge, transport into Virginia, he could claim fifty acres of land; and thus a body of large proprietors had existed from the infancy of the settlement.¹ These vast possessions, often an inheritance for the eldest born, awakened the feelings of family pride.

The power of the rising aristocracy was still further increased by the deplorable want of the means of education in Virginia. The great mass of the rising generation could receive little literary culture; the higher degrees of cultivated intelligence in the colony were confined to a small number of favored emigrants. Many of the royalists who came over after the death of Charles I., brought to the colony the culture and education that belonged to the English gentry of that day; and the direction of affairs necessarily fell into their hands. The instinct of liberty may create popular institutions; they cannot be preserved in their integrity except by the conscious intelligence of the people.

But the distinctions in society were rendered more marked by the character of the plebeian population of Virginia. Many of them had reached the shores of Virginia as servants; doomed, according to the severe laws of that age, to a temporary servitude. Some of them, even, were convicts; but it must be remembered, the crimes of which they were convicted were chiefly political. The number transported to Virginia for social crimes was never considerable; scarcely enough to sustain the sentiment of pride in its scorn of the laboring population; certainly not enough to affect its character. Yet the division of society into two classes was strongly marked, in a degree une-

¹ *Virginia's Cure*, by R. G. 1603, p. 8.

CHAP. XIV. qualled in any northern colony, and unmitigated by public care for education.¹ The system of common schools was unknown. "Every man," said Sir William Berkeley in 1671, "instructs his children according to his ability;" a method which left the children of the ignorant to hopeless ignorance. The instinct of aristocracy dreaded the general diffusion of intelligence, and even the enfranchising influence of the preaching of the ministers. "The ministers," continued Sir William, in the spirit of the aristocracy of the Tudors, "should pray oftener and preach less. But, I thank God, there are no free schools, nor printing; and I hope we shall not have, these hundred years; for learning has brought disobedience, and heresy, and sects into the world, and printing has divulged them, and libels against the best government. God keep us from both." Thus, in addition to the difficulties which the degraded caste of servants encountered in their endeavors to lift themselves into distinction, the power of the government was exerted to depress whole classes of society. We rightly abhor the envy which delights in debasing excellence; it is a still greater crime against humanity, to combine against the masses in their struggle for intellectual and social advancement.

Still servants were emancipated, when their years of servitude were ended; and the law was designed to secure and to hasten their enfranchisement. The insurrection, which was plotted by a number of servants in 1663, had its origin in impatience of

¹ "Their almost general want of schooles, for the education of their children, is of most sad consideration, most of all bewailed of the parents there, and therefore

the arguments drawn from thence, most likely to prevail with them cheerfully to embrace the Remedy." *Virginia's Cure*, p. 5.

servitude and oppression. A few bondmen, soldiers CHAP.
XIV. of Cromwell, and probably Roundheads, were excited by their own sufferings, and by the nature of life in the wilderness, to indulge once more in vague desires for a purer church and a happier condition. From the character of the times, their passions were sustained by political fanaticism; but no definite plan of revolution was devised; nor did the conspiracy extend beyond a scheme of indented servants to anticipate the period of their freedom. The effort was the work of ignorant men, and was easily suppressed.¹ The facility of escape compelled humane treatment of white servants.

Towards the negro the laws were less tolerant. The statute which declares who are slaves, followed the old idea, long prevalent through Christendom, "All servants, not being Christians, imported into this 1670. country by shipping, shall be slaves." Yet it was added, "conversion to the Christian faith doth not 1682. make free." The early Anglo-Saxon rule, interpreting every doubtful question in favor of liberty, declared the children of freemen to be free. Virginia was humane towards men of the white race; was severe towards the negro. Doubts arose, if the offspring of an Englishman by a negro woman should be bond or free; and the rule of the Roman law prevailed over 1662. the Anglo-Saxon. The offspring followed the condition of its mother. Enfranchisement of the colored population was not encouraged; the female slave was not subject to taxation; the emancipated negress was 1668. "a tithable." "The death of a slave from extremity of correction, was not accounted felony; since it

¹ Hening, ii. 510. Beverley. MS. of the General Court of Virginia. Letter from N. P. Howard, clerk

- CHAP. cannot be presumed"—such is the language of the
 XIV. statute—"that premeditated malice, which alone makes
 1669. murder felony, should induce any man to destroy his
 own estate." The legislature did not understand human
 passion; no such opinion now prevails. Finally,
 1672. it was made lawful for "persons, pursuing fugitive
 colored slaves, to wound, or even to kill them." The
 master was absolute lord over the negro. The slave,
 and the slave's posterity, were bondmen; though
 afterwards, when the question was raised, the devise
 of negro children *in posse*, the future increase of a
 bondwoman, was void. As property in Virginia con-
 sisted almost exclusively of land and laborers, the
 increase of negro slaves was grateful to the pride and
 to the interests of the large landed proprietors. After
 a long series of years, the institution of slavery
 renewed a lauded aristocracy, closely resembling the
 feudal nobility; the culminating point was the period
 1705. when slaves were declared to be real estate, and might
 1727. be constituted by the owner adscripti to the soil.¹

The aristocracy which was thus confirmed in its
 influence by the extent of its domains, by its superior
 intelligence, and by the character of a large part of
 the laboring class, naturally aspired to the government
 of the country; from among them the council was
 selected; many of them were returned as members of
 the legislature; and in the organization of the militia,
 they also held commissions. The entire absence of
 local municipal governments necessarily led to an
 extension, unparalleled in the United States, of the
 power of the magistrates. The justices of the peace
 for each county fixed the amount of county taxes,

¹ Hening, ii. 283, 490, 491, 170, Virginia Practice, i. 527. Hening,
 267, 270, 299. Conway Robinson's iv. 222. Compare v. 432.

assessed and collected them, and superintended their disbursement ; so that military, judicial, legislative, and executive powers were often deposited in the hands of men, who, as owners of large estates, masters of many indented servants, and lords of slaves, already began to exhibit the first indications of an established aristocracy.

CHAP.
XIV.

Thus, at the period of the restoration, two elements 1660. were contending for the mastery in the political life of Virginia ; on the one hand, there was in the Old Dominion a people ; on the other, a rising aristocracy. The present decision of the contest would depend on the side to which the sovereign of the country would incline. During the few years of the interruption of monarchy in England, that sovereign had been the people of Virginia ; and its mild and beneficent legislation, careless of theory, and unconscious of obeying impulses which were controlling the common advancement of humanity, had begun to loosen the cords of religious bigotry, to confirm equality of franchises, to foster colonial industry by freedom of traffic with the world. The restoration of monarchy changed the course of events, took from the people of Virginia the power which was not to be recovered for more than a century, and gave to the forming aristocracy a powerful ally in the royal government and its officers. The early history of Virginia not only illustrates the humane and ameliorating influences of popular freedom, but also presents a picture of the confusion, discontent, and carnage, which are the natural consequences of selfish legislation and a retrograde movement in the cause of popular liberty.

The emigrant royalists had hitherto not acted as a political party, but took advantage of peace to estab-

CHAP. lish their fortunes.¹ Their numbers were constantly
 XIV. increasing; their character and education procured
 1660. them respect and influence; yet no collisions ensued. If one assembly had, what Massachusetts never did, submitted to Richard Cromwell—if another had elected Berkeley as governor—the power of the people still preserved its vigor, and controlled legislative action. But on the tidings of the restoration of Charles II., the fires of loyalty blazed up, perhaps the more vehemently for their long inactivity. Virginia shared the passionate joy of England. In the mother-country, the spirit of popular liberty, contending at once with ancient institutions which it could not overthrow, had been productive of much calamity, and had overwhelmed the tenets of popular enfranchisement in disgust and abhorrence. In Virginia, where no such ancient abuses existed, the same spirit had been productive only of benefits. Yet to the colony England still seemed a home; and the spirit of English loyalty pervaded the plantations along the Chesapeake. With the people it was a generous enthusiasm; to many of the leading men loyalty opened a career for ambition; and with general consent, Sir William Berkeley, no longer acting as governor, elected by the people, but assuming such powers as his royal commission bestowed, issued writs for an assembly in the name of the king.² The sovereignty over itself, which Virginia had exercised so well, had come to an end.

The excitement of the moment favored the friends of royalty; and the first assembly which was elected
 1661. after the restoration, was composed of landholders and Cavaliers; men in whose breasts the passions of colo-

¹ Clarendon.² Burk, ii. 120.

nial life had not wholly mastered the attachment to English usages. Of the assembly of 1654, not more than two members were elected at the restoration; of the assembly of March, 1660, of which an adjourned meeting was held in October, the last assembly elected during the interruption, only eight were re-elected to the first assembly of Charles II., and, of these eight, not more than five retained their places.¹ New men came upon the theatre of legislation, bringing with them new principles. The restoration was, for Virginia, a political revolution.

CHAP.
XIV.

1661.

Mar.
12.

The "first session"² of the royalist assembly was in March, 1661. One of its earliest acts—disfranchising a magistrate "for factious and schismatical demeanors,"³—marks its political character; but, as democratic institutions had tranquilly and naturally been introduced, so the changes which were now to take place, proceeded from the instinct of selfishness, the hatred to popular power, the blind respect for English precedents, and not from any settled theory of government, or well-developed principles of conduct.

Mar.
12.

The apprehensions of Virginia were awakened by the establishment of the colonial monopoly in the navigation act; and the assembly, alarmed at this open violation of the natural and prescriptive "freedoms" of the colony, appointed Sir William Berkeley its agent, to present the grievances of Virginia and procure their redress. Here, again, the influence of royalist legis-

¹ Hening, i. 386, 387, and 526—530; ii. 137, &c. 250.

² That this was the "first session," appears from comparing Hening, ii. 147, with Hening, ii. 31. Burk, ii. 120, seems to have been confused by the old mode of reckoning. The assembly of October 11,

1660, was still the last republican assembly. Berkeley had been directed to issue forth his summons to the "present burgesses;" that is, to those chosen before the restoration. Hening, i. 542, 543.

³ Hening, ii. 39. The victim was "Major John Bond."

CHAP. lation is perceptible; no distrust of the royal power
 XIV. was excited; freedom of trade was the object to
 1661. which desires were directed, and Virginia reposed
 confidently in the favor of its monarch. Far different
 had been the course of the New England states,
 where the perpetual dread of royal interference per-
 severed in soliciting charters, till they were obtained.
 Virginia, unhappy in her confidence, lost irrevocably
 the opportunity of obtaining a liberal patent.

The Ancient Dominion was equally unfortunate in
 the selection of its agent. Sir William Berkeley did
 not, even after years of experience, understand the
 principles of the act against which he was deputed to
 expostulate. We have seen that he obtained for
 himself and partners a portion of the territory of Vir-
 ginia; for the colony he did not secure one franchise.

It merits remark that, even at the hands of Charles
 II., the democratic colonies of Rhode Island and
 Connecticut received greater favor than Virginia.
 The king employed the loyalty of Virginia to its
 injury.

For more than a year the navigation act, which had
 July been communicated to the Dutch merchants of New
 21. Belgium, was virtually evaded in Virginia;¹ mariners
 of New England, lading their vessels with tobacco,
 did but touch at a New England harbor on the Sound,
 and immediately sail for the wharves of New Amster-
 dam. But this remedy was partial and transient.
 By the very nature of foreign commerce, the act of
 navigation could easily be executed in Virginia, be-
 cause the colony had few ships of its own, and no
 foreign vessel dared to enter its ports; and the unequal
 legislation pressed upon its interests with intense se-

¹ Stuyvesant, July 15, 1662. Albany Records, xviii. 197, and 157, 158.

verity. The number of the purchasers of its tobacco was diminished; and the English merchants, sure of their market, grew careless about the quality of the article which they supplied. To the colonist as consumer, the price of foreign goods was enhanced; to the colonist as producer, the opportunity of a market was narrowed.

CHAP.
XIV.
1661.

Virginia long attempted to devise a remedy against the commercial oppression of England. It was the strong, exercising tyranny over the weak; there could be no remedy but independence. Yet the planters vainly flattered themselves that, by producing an artificial scarcity of tobacco, they might alleviate their distress; and it was repeatedly proposed to Carolina and Maryland, to omit for a year the culture of their staple. These negotiations always remained fruitless; yet the pertinacity with which they were pursued, proves the extremity of suffering occasioned by the acts of navigation.¹

The burden laid upon the intercolonial traffic was the more intolerable to the Virginians, because it produced no revenue. It was established exclusively to favor the monopoly of the English merchant; and its avails were all abandoned as a good income to the officers to stimulate their vigilance.²

Thus, at the very season when the rising aristocracy of Virginia was seeking, by the aid of royal influence, to confirm its supremacy, the policy of the English government oppressed colonial industry so severely as to excite the hostility of the united province. The party which separated itself from the people, and united with the king in the desire of gaining a

¹ Hening, ii. 190, 200, 209, 221, 224, 228, 229, 232, 251, 252.

² Beverley, 66.

CHAP. triumph over democratic influences, was always on
 XIV. the point of reconciling itself with the people, and
 1661. making a common cause against the tyranny of the metropolis. On the one hand, it was impelled to rest for support and look for favor to the English monarch; and on the other, by a community of national pride and a fellowship of interests and wrongs, it was blended with the people. The really adverse parties in Virginia were royalists, and the people. The landed aristocracy of Virginia was divided in its affections; and the side to which it inclined was always sure of victory. Did it combine with monarchy? A retrograde movement in society was the consequence. Did it join with the people? Such union was the harbinger of success to popular liberty, and of progress towards independence.

At the epoch of the restoration, the rising aristocracy gained the ascendancy in the legislature. We have seen that the assembly disfranchised "a factious and schismatical magistrate;" in the course of its long-continued sessions, it modified the democratical features of the constitution, and effected a radical change in favor of aristocratic influences. The committee which was appointed to reduce the laws of Virginia to a code, introduced no new principles favorable to
 1662. liberty, but as if society were capable of being checked
 Mar. in its progress, and confined to fixed forms, it restored the ancient institutions, and repealed the milder laws that Virginia had adopted when she governed herself. The English Episcopal church became once more the religion of the state; and though there were not ministers in above a fifth part of the parishes, so that the church was scattered in the desolate places

of the wilderness without comeliness,¹ yet the laws demanded strict conformity, and required of every one to contribute to the support of the established church. 1662. CHAP.
XIV.

For assessing parish taxes twelve vestrymen were now to be chosen in each parish, with power to fill all vacancies in their own body. Here was a revolution in church affairs; the control passed from the parish to a close corporation, which the parish could neither alter nor control. In England, dissenters were attempting changes in the liturgy; Virginia required the whole liturgy to be thoroughly read; no non-conformist might teach, even in private, under pain of banishment; no reader might expound the Catechism or the Scriptures. The obsolete severity of the laws of Queen Elizabeth was revived against the Quakers. Absence from church was for them an offence, punishable by a monthly fine of twenty pounds sterling. To meet in conventicles of their own, was forbidden under further penalties.

Nor did the law remain a dead letter. A large number of Quakers was arraigned before the court, as recusants. "Tender consciences," said Owen firmly, "must obey the law of God, however they suffer."—"There is no toleration for wicked consciences,"² was the reply of the court. April
4

The reformation had diminished the power of the clergy by declaring marriage a civil contract, not a sacrament. The Independents allowed no marriage but by the magistrates; Virginia tolerated no ceremony but according to the rubric in the book of common prayer.

Religious bigotry recovered all the advantages

¹ Virginia's Cure, 1662, p. 2 and 19. ² Richmond Records, No. 2. 1660 to 1664, p. 82.

CHAP. which had begun to yield to the progress of opinion.¹
XIV.

Among the plebeian sects of Christianity, the single-minded simplicity with which the Baptists had, from their origin, asserted the enfranchisement of mind, and the equal rights of the humblest classes of society, naturally won converts in America at an early day.

Dec. The legislature of Virginia, assembling soon after the return of Berkeley from a voyage that had been fruitless to the colony, declared to the world that there were scattered among the rude settlements of the Ancient Dominion "many schismatical persons, so averse to the established religion, and so filled with the new-fangled conceits of their own heretical inventions, as to refuse to have their children baptized;"² and the novelty was punished by a heavy mulct. The freedom of the forests favored originality of thought; in spite of legislation, men listened to the voice within themselves as to the highest authority; and Quakers

1663. continued to multiply. Virginia, as if resolved to
Sept. hasten the colonization of North Carolina, sharpened her laws against all separatists, punished their meetings by heavy fines, and ordered the more affluent to pay the forfeitures of the poor. The colony that should have opened its doors wide to all the persecuted, punished the ship-master that received non-conformists as passengers, and threatened such as resided in the colony with banishment.³ John Porter, the burgess for Lower Norfolk, was expelled from the assembly, "because he was well affected to the Quakers."⁴

The legislature was equally friendly to the power

¹ Hening, ii. 44—50.

² Ibid. ii. 166. Semple, in his History of the Baptists in Virginia, p. 1, gives them an origin later by a half century. He

is plainly in error. Anabaptists are again named, Hening, ii. 198.

³ Hening, ii. 180—183.

⁴ Ibid. ii. 198.

of the crown. In every colony where Puritanism prevailed, there was a uniform disposition to refuse a fixed salary to the royal governor. Virginia, at a time when the chief magistrate was elected by its own citizens, had voted a fixed salary for that magistrate; but the measure, even then, was so little agreeable to the people, that its next assembly repealed the law.¹ The royalist legislature, for the purpose of well paying his majesty's officers, established a permanent revenue by a permanent imposition on all exported tobacco; and the royal officers of Virginia, requiring no further action of an assembly for granting taxes, were placed above the influence of colonial legislation.² They depended on the province neither for their appointment nor their salary, and the country was governed according to royal instructions,³ which did, indeed, recognize the existence of colonial assemblies, but offered no guaranty for their continuance. The permanent salary of the governor of Virginia, increased by a special grant from the colonial legislature, exceeded the whole annual expenditure of Connecticut; but Berkeley was dissatisfied. A thousand pounds a year would not, he used to say, "maintain the port of his place; no government of ten years' standing but has thrice as much allowed him. But I am supported by my hopes, that his gracious majesty will one day consider me."⁴ Such was a royal governor; how unlike the spirit that prevailed, where the magistrates were elected by the people! Winthrop of Massachusetts expended all his estate for the commonwealth; Berkeley was dissatis-

CHAP.
XIV.1658.
Mar.1659.
Mar.
1662.1662.
Sept.
12.¹ Hening, i. 498—523.² Ibid. ii. 130—132.³ Richmond Records, No. 2. 1660 to 1664, p. 130—135.⁴ Chalmers, 528. Hening, ii.

516. Berkeley's commission was

not a commission for life.

CHAP. fied even after a grant of tens of thousands of square
XIV. miles.

1662. The organization of the judiciary placed that department of the government almost entirely beyond the control of the people. The governor and council were the highest ordinary tribunal; and these were all appointed, directly or indirectly, by the crown; besides this, there were in each county eight unpaid¹ justices of the peace, commissioned by the governor during his pleasure. These justices held monthly courts, in their respective counties.² Thus the administration of justice, in the counties, was in the hands of persons holding their offices at the good will of the governor; while the governor himself and his executive council constituted the General Court, and had cognizance of all sorts of causes. Was an appeal made to chancery? It was but for another hearing before the same men; and it was only for a few years longer that appeals were permitted from the general court to the assembly. The place of sheriff in each county was conferred on one of the justices for that county, and so devolved to every commissioner in course.³ This organization of the county courts in Virginia continues to-day, except that the justices hold their places for life, and nominate their associates and successors.

But the county courts, thus independent of the people, possessed and exercised the arbitrary power of levying county taxes, which, in their amount, usually exceeded the public levy.⁴ This system proceeded so far, that the commissioners, of themselves,

¹ Hening, ii. 244.

² Ibid. ii. 71, 72. Compare the very important tract of Hartwell, Blair, and Chilton,—*The Present State of Virginia and the College,*

p. 43. Printed in 1727, but written near the close of the seventeenth century. Beverley, 220, 221.

³ Hening, ii. 21 and 78.

⁴ Bland, in Burk, ii. 248.

levied taxes to meet their own expenses.¹ In like manner, the self-perpetuating vestries made out their lists of tithables, and assessed taxes without regard to the consent of the parish.² These private levies were unequal and oppressive; were seldom, it is said, never, brought to audit, and were, in some cases at least, managed by men who combined to defraud the public.³

For the organization of the courts, ancient usage could be pleaded. It was a series of innovations, which gradually effected a revolution in the system of representation.

The members of the first assembly convened after 1662. the restoration, had been chosen for a term of service extending only through two years; the rule of biennial assemblies was adopted in Virginia.⁴ The law, which limited the duration of legislative service, and secured the benefits of frequent elections and swift responsibility, was now, silently, but "utterly abrogated and repealed."⁵ Thus the legislators, on whom the people had conferred a political existence of two years, assumed to themselves, by their own act, an indefinite continuance of power. The parliament of England, chosen on the restoration, was not dissolved for eighteen years. The legislature of Virginia retained its authority for almost as long a period, and yielded it only to an insurrection. Meantime "the meeting of the people, at the usual places of election," had for their object, not to elect burgesses, but to present their grievances to the burgesses of the adjourned assembly.⁶

¹ Hening, ii. 315, 316.

² Ibid. ii. 310.

³ Culpepper, in Chalmers, 355.

⁴ Hening, i. 517.

⁵ Ibid. ii. 43.

⁶ Ibid. ii. 211, 212.

CHAP.
XIV.

The wages of the burgesses were paid by the respective counties ; and their constituents possessed influence to determine both the number of burgesses to be elected and the rate of their emoluments. This method of influence was taken away by a law, which, wisely but for its coincidence with other measures, fixed both the number and the charge of the burgesses. But the rate of wages was for those days enormously burdensome, far greater than is tolerated in the wealthiest states in these days of opulence ; and it was fixed by an assembly for its own members, who had usurped, as it were, a perpetuity of office. The taxes for this purpose were paid with great reluctance,¹ and, as they amounted to about two hundred and fifty pounds of tobacco for the daily emoluments of each member, became for a new country an intolerable grievance. Discontent was increased by the favoritism which exempted the councillors from the levies.²

The freedom of elections was further impaired by "frequent false returns" made by the sheriffs.³ Against these the people had no sufficient redress ; for the sheriffs were responsible neither to them nor to officers of their appointment. And how could a more pregnant cause of discontent exist in a country, where the elective franchise was cherished as the dearest civil privilege ?

How dear that franchise was held by the people of Virginia, is distinctly told in their records. No direct taxes were levied in those days except on polls ; lands

¹ Virginia's Cure, p. 2. Hening, ii. 20, 23, 106, 309, 325. Bland, in Burk, ii. 248. Lord Baltimore, for his quit-rents, received tobacco at two pence a pound. It was not worth so much on the average, yet

in those days of poverty the burgess received probably about nine dollars a day.

² Compare Hening, ii. 84, with 359, 392.

³ Hening, ii. 356.

escaped taxation. The method, less arbitrary in Virginia, where property consisted chiefly in a claim to the labor of servants and slaves, than in a commercial country, or where labor is free, was yet oppressive to the less wealthy classes. The burgesses, themselves great landholders, resisted the reform which Berkeley had urged,¹ and connected the burden of the tax with the privileges of citizenship. If land should be taxed, none but landholders should elect the legislature; and then, it was added, "the other freemen, who are the more in number, may repine to be bound to those laws, they have no representations to assent to the making of. And we are so well acquainted with the temper of the people, that we have reason to believe they had rather pay their tax, than lose that privilege."²

CHAP.
XIV.1663.
Sept.
27.

Thus was the jealous love for liberty remembered, when it furnished an excuse for continuing an unjust method of taxation. But the system of universal suffrage could not permanently find favor with an assembly which had given to itself an indefinite existence, and which labored to reproduce in the New World the inequalities of English legislation. It was discovered that "the usual way of chusing burgesses by the votes of all freemen," produced "tumults and disturbance." The instinct of aristocratic bigotry denied that the electors would make "choyce of persons fitly qualified for so greate a trust." The restrictions, adopted by the monarchical government of England, were cited as a fit precedent for English colonies; and it was enacted that "none

1670.
Oct.

¹ Hening, ii. 204. "A levy upon lands and not upon heads."

² Richmond Records, No. 2. 1660 to 1664, p. 175.

CHAP.
XIV.

1670
Oct.

but freeholders and housekeepers shall hereafter have a voice in the election of any burgesses.”¹

Thus was a majority of the people of Virginia disfranchised by the act of their own representatives. So true it is, that, in representative governments, unless power be limited, and responsibility steadily maintained, the choice of representatives becomes the establishment of a tyranny.

The great result of modern civilization is the diffusion of intelligence among the masses, and a consequent increase of their political consideration. The result is observable every where. In the field, the fate of battles depends on infantry, and no longer on the cavalry. Influence has passed away from walled towns and fortresses to the busy scenes of commercial industry, and to the abodes of rustic independence; an active press has increased, and is steadily increasing, the number of reflecting minds that demand a reason for conduct, and exercise themselves in efforts to solve the problem of existence and human destiny. Every where the power of the people has increased; it is the undisputed induction from the history of every nation of European origin. The restoration of Charles II. was, therefore, to Virginia a political revolution, opposed to the principles of popular liberty and the progress of humanity. An assembly continuing for an indefinite period at the pleasure of the governor, and decreeing to its members extravagant and burdensome emoluments; a royal governor, whose salary was established by a permanent system of taxation; a constituency restricted and diminished; religious liberty taken away

¹ Hening, ii. 280.

almost as soon as it had been won; arbitrary taxation in the counties by irresponsible magistrates; a hostility to popular education, and to the press;—these were the changes which, in about ten years, were effected in a province that had begun to enjoy the benefits of a virtual independence, and a gradually ameliorating legislation. CHAP.
XIV.

The English parliament had crippled the industry of the planters of Virginia; the colonial assembly had diminished the franchises and impaired the powers of its people; Charles II. was equally careless of the rights and property of its tens of thousands of inhabitants. Just after the execution of Charles I., during 1649. the extreme anxiety and despair of the royalists, a patent for the Northern Neck, that is, for the country between the Rappahannock and the Potomac, had been granted to a company of Cavaliers, as a refuge for their partisans. About nine years after the restoration, this patent was surrendered, that a new 1669. one might be issued to Lord Culpepper, who had May. succeeded in acquiring the shares of all the associates. The grant was extremely oppressive, for it included plantations which had long been cultivated.¹ But the prodigality of the king was not exhausted. To Lord Culpepper, one of the most cunning and most covetous men in England,² at the time a member of the commission for trade and plantations,³ and to Henry, earl of Arlington, the best bred person at the royal court, allied to the monarch as father-in-law to the king's son by Lady Castlemaine, ever in debt exceedingly, and passionately fond of things rich, polite, and princely,⁴ the lavish sovereign of England gave away "all 1673. Feb. 25.

¹ Beverley, 65. Chalmers, 330.

² Hartwell, Blair, and Chilton, 31.

³ Evelyn, ii. 342.

⁴ Ibid. 372, 431.

CHAP. XIV. the dominion of land and water, called Virginia," for the full term of thirty-one years.¹

The assembly of Virginia, composed as it was, in part at least, of opulent landholders, were excited to alarm by dangers which were menaced by the thoughtless grants of a profligate prince; and Francis Morryson, Thomas Ludwell, and Robert Smith, were appointed agents to sail for England, and enter on the difficult duty of recovering for the king that supremacy which he had so foolishly dallied away. "We are unwilling," said the assembly, "and conceive we ought not to submit to those to whom his majesty, upon misinformation, hath granted the dominion over us, who do most contentedly pay to his majesty more than we have ourselves for our labor. Whilst we labor for the advantage of the crown, and do wish we could be yet more advantageous to the king and nation, we humbly request not to be subjected to our fellow-subjects, but, for the future, to be secured from our fears of being enslaved."² Berkeley's commission as governor had expired; the aristocratic legislature, which had already voted him a special increase of salary, and which had continued itself in power by his connivance, solicited his appointment as governor for life.³

The envoys of Virginia were instructed to ask for the colony the immunities of a corporation; for a corporation could resist further encroachments, and would be able, according to the forms of English law, to purchase of the grantees their rights to the country. The agents more than fulfilled their instructions. They asserted the natural liberties of the colonists;

¹ Henning, ii. 569—583, 427—521.
Burk, ii. App. xxxiv., &c.

² Burk, ii. App. xxxiii. xxxiv.
³ Ibid. xxxix.

claimed, with earnest zeal, an exemption from arbitrary taxation; insisted on the indefeasible right of the colonists to the enjoyment of legislative powers, as the birthright of the children of Englishmen; and fortified their demands by the favor of Coventry, whom they extolled as one of the worthiest of men;¹ by the legal erudition of Jones and Winington,² and by the voices of "many great friends," won by a sense of humanity, or submitting to be bribed by poor Virginia.³ But fidelity, justice, and favor, were not enough to secure the object. The agents were detained a twelvemonth without making any progress; the final failure has been ascribed to tidings from Virginia; but there is reason to believe, that a secret influence had been irrevocably exerted against the grant of a charter,⁴ before the news reached England of the events which involved the Ancient Dominion in gloomy disasters.

CHAP.
XIV.

For at the time when the envoys were appointed, Virginia was rocking with the excitements that grew 1674. out of its domestic griefs. The rapid and effectual abridgment of its popular liberties, joined to the uncertain tenure of property that followed the announcement of the royal grants, would have roused any nation; how much more a people like the Virginians! The generation now in existence was chiefly the fruit of the soil; they were children of the woods, nurtured in the freedom of the wilderness, and dwelling in lonely cottages, scattered along the streams. No newspapers entered their houses; no printing-press furnished them a book. They had no recreations but

¹ Burk, ii. App. xxxix. and lvii.

² Ibid. xl. xli.

³ Ibid. xxxix. "Some with, some without charge."

⁴ Loyd's Letter of April 19,

1676, in Burk, ii. App. xxxvi. Henning, ii. 534—537. Beverley, 66. For the documents generally, see Burk, ii. App., where they are huddled together. Henning, ii. 519, &c.

CHAP. such as nature provides in her wilds ; no education but
XIV. such as parents in the desert could give their offspring.¹

The paths were bridleways rather than roads ; and the highway surveyors aimed at nothing more than to keep them clear of logs and fallen trees.² I doubt if there existed what we should call a bridge in the whole Dominion, though it was intended to build some.³ Visits were made in boats, or on horseback through the forests ; and the Virginian, travelling with his pouch of tobacco for currency, swam the rivers, where there was neither ferry nor ford. Almost every planter was his own mechanic. The houses, for the most part of but one story, and made of wood, often of logs, the windows closed by convenient shutters for want of glass,⁴ were sprinkled at great distances on both sides of the Chesapeake, from the Potomac to the line of Carolina. There was hardly such a sight as a cluster of three dwellings. Jamestown was but a place of a statehouse, one church, and eighteen houses,⁵ occupied by about a dozen families. Till very recently, the legislature had assembled in the hall of an alehouse.⁶ Virginia had neither towns nor lawyers.⁷ A few of the wealthier planters lived in braver state at their large plantations, and, surrounded by indented servants and slaves, produced a new form of society, that has sometimes been likened to the manners of the patriarchs, and sometimes to the baronial pride of feudalism. The inventory of Sir William Berkeley gave him seventy horses, as well as large flocks of sheep.⁸ “Al-

¹ Berkeley, in Chalmers.

² Hening, ii. 103.

³ Ibid. Burk, ii. App. xxxiii.

⁴ Hammond's Lear and Rachel.

⁵ Mass. Hist. Coll. xi. 53.

⁶ Hening, ii. 204.

⁷ Burk, ii. 159.

⁸ Document in Burk, ii. 263.

most every man lived within sight of a lovely river."¹ CHAP. XIV. The parish was of such extent, spreading over a tract which a day's journey could not cross, that the people met together but once on the Lord's day, and sometimes not at all; the church, rudely built in some central solitude, was seldom visited by the more remote families,² and was liable to become inaccessible by the broken limbs from forest-trees, or the wanton growth of underwood and thickets.

Here was a new form of human nature. A love of freedom inclining to anarchy pervaded the country. Among the people, loyalty was a feebler passion than the love of liberty. Existence "without government" seemed to promise to "the general mass"—it is a genuine Virginia sentiment³—"a greater degree of happiness" than the tyranny "of the European governments." Men feared injustice more than they feared disorder. In Europe, people gathered in towns; here they lived by themselves. In the Old World, even the peasantry crowded together into compact villages. The farmers of Virginia lived asunder, and in their mild climate were scattered very widely, rarely meeting in numbers, except at the horse-race or the county court.⁴

It was among such a people, which had never been disciplined to resistance by the heresies of sects or the new opinions of "factious" parties, which, till the restoration, had found the wilderness a safe protection against tyranny, and had enjoyed "a fifty years' experience of a government easy to the people," that the pressure of increasing grievances began to excite open discon-

¹ Hammond's *Lear and Rachel*. Yet society without government is

² *Virginia's Cure*, 2, 3. a contradiction.

³ Jefferson's *Writings*, ii. 85. ⁴ Burk, ii. App. xlix.

CHAP. tent. Men gathered together in the gloom of the
 XIV. forests to talk of their hardships. The common people, half conscious of their wrongs, half conscious of the rightful remedy, were ripe for insurrection. A collision between prerogative and popular opinion, between that part of the wealth of the country which was allied with royalism, and the great mass of the numbers and wealth of the country, resting on popular power, between the old monarchical system and the American popular system, was at hand. American freedom had then the principle of life, but was unconscious of its vitality, as the bird that just begins to peck at the shell. Opinions were coming into life; and the plastic effort of modern political being was blindly, but effectually at work.¹

1674. On the first² spontaneous movement of the common people, the men of wealth and established consideration kept aloof. It is always so in revolutions. The revolt was easily suppressed by the calm advice "of some discreet persons," in whom the people had confidence. Yet the movement was not without effect; the county commissioners were ordered to levy no more taxes for their own emoluments.³ But as the great abuses continued unreformed, the mutinous discontents⁴ of the people were not quieted. The common people were rendered desperate by taxes, which
 1675 deprived labor of nearly all its earnings; and the ex-
 to
 1676. citement was increased, when, after a year's patience under accumulated oppressions, they received from the envoys of the colony, themselves by their heavy expenses a new burden, no hope of a remedy from

¹ Bland, in Burk, ii. 247, 151.

² Chalmers says, 1675; an error.

³ Hening, ii. 315, 316.

⁴ Ibid. 539.

England.¹ To produce an insurrection, nothing was wanting but an excuse for appearing in arms. CHAP.
XIV.

The causes which had driven the Indians of New England to despair, acted with equal force on the natives of Virginia. The English had at first seemed to occupy no more than the skirts of the bay. By degrees they had explored the interior; the remote mountains had become an object of curiosity;² and a little band of adventurers had at length crossed the first range of mountains, and, descending into the valley of the Blue Ridge, had examined the heart of Virginia, and proclaimed the beauty of the lands which form a succession of the most picturesque valleys in the world.³ How could jealousies fail to be excited?

The Seneca Indians, a tribe of the Five Nations, had driven the Susquehannahs from their abode at the head of the Chesapeake to the vicinity of the Piscataways on the Potomac;⁴ and Maryland had become involved in a war with the Susquehannahs and their confederates.⁵ Murders had been committed on the soil of Virginia, and had been avenged by the militia on the borders.⁶ As dangers increased, the River Potomac was guarded; and a body of Virginians, under the command of John Washington, the great grandfather of George Washington, himself perhaps a surveyor, who had emigrated from the north of England to America eighteen years before, and had planted himself as a farmer in the county of Westmoreland, crossed the river to assist the people of Maryland⁷

¹ Beverley, 66.

² Henning, i. 281.

³ Beverley, 62, 63.

⁴ T. M.'s Beginning, Progress, and Conclusion of Bacon's Rebellion, p. 9.

⁵ Bacon's Laws of Maryland, 1674, c. xxvii. and xxviii.

⁶ T. M.'s Account, 8.

⁷ A. Cotton's Account of our Late Troubles in Virginia, p. 3.

CHAP. in besieging the common enemy. The warfare was
 XIV. conducted with vengeful passions. When six of the
 1675. hostile chieftains presented themselves as messengers
 to treat of a reconciliation, in the blind fury of the
 moment they were murdered.¹

The outrage was rebuked by Berkeley with abrupt energy. The old Cavalier declared, "If they had killed my father and my mother, and all my friends, yet if they had come to treat of peace, they ought to have gone in peace."² The monopoly of the beaver trade in Virginia³ is also said to have prevailed on the avarice of the governor to favor the Indians.⁴

1675 Meantime the natives, having escaped from their fort,
 to
 1676. roamed by stealth from plantation to plantation, from the vicinity of Mount Vernon to the Falls of James River, carrying terror to every grange in the province; murdering, in blind fury, till their passions were glutted; and for each one of their chiefs ten of the English had been slain. Now, according to their wild superstitions, would the souls of their great men repose pleasantly in the shades of death.

Proposals of peace were renewed by the Susquehannahs and their confederates. The proposals were rejected. The Indians, subject to Virginia, begin to assert independence. The horrors of insecurity visit every log-house on the frontier; the plantations are laid waste; death ranges the land under the hideous forms of savage cruelty. The spirit that favored popular liberty, awakes to demand the natural right

¹ Burwell Account of Bacon and Ingram's Rebellion, first printed in Mass. Hist. Coll. xi. 27, &c. Reprinted by P. Force in 1835. So, too, Cotton, p. 3.

² T. M.'s Account, p. 12.

³ Hening, ii. 20, 124, 140.

⁴ T. M.'s Account, p. 11. "Passion and avarice, to which the governor was more than a little addicted."

of self-defence. The people despise the system of defence by forts,¹ which can so easily be avoided, and which are maintained at a vast and useless charge. With Bacon for their leader, they demand of the governor leave to rise and protect themselves.

CHAP.
XIV.
1676.

Permission was withheld ; for should Berkeley confess errors of judgment so glaring, that they could be discerned by the common people, whom the royalists had ever "counted more than half blind?"² The influence of the people could not countervail the interests of colonial courtiers, who derived emoluments from solitary abuses ; and, as the elective franchise was virtually cancelled, it was in vain that the discontented party constituted much the greater number ; there was but fresh indignation at misspent entreaties.³

The governor distrusted Nathaniel Bacon, because he was "popularly inclined."⁴ A native of England, born during the contests between the parliament and the king, nursed amidst the convulsive struggles occasioned by the democratic revolution, well educated in a period when every active mind had been awakened to a consciousness of popular rights and popular power, —he had not yielded the love of freedom to the enthusiasm of royalty. Possessing a pleasant address and a powerful elocution, he had rapidly risen to distinction in Virginia. Quick of apprehension, brave, choleric, yet discreet in action,⁵ the young and wealthy planter carried to the banks of the James River the liberal

¹ Hening, ii. 326—336.

² Burwell Account, 32.

³ Bland, in Burk, ii. 248. Burwell Account, 32, 33. The Review Breviary by Jeffries. Berry and Morrison, in Burk, ii. 250.

⁴ Burwell Account, 33. Burk, ii. 163, 247.

⁵ "Though but a young man, he was master of those endowments which constitute a complete man, wisdom to apprehend and discretion to chuse." Burwell Account, 34. Compare Jefferson's opinion, prefixed to T. M.'s Account.

CHAP. principles which he had gathered from English expe-
 XIV. rience. The sect of the Puritans gained no power in

1676. Virginia ; the ideas which the Puritans had generated, gradually penetrating the English mind, were readily received in the wilds of the Old Dominion ; for they were but the ideas which the instinct of human freedom had already whispered to every planter, and which naturally sprung up amidst the equalities of the wilderness. Bacon was resolved on action. Were another white man murdered, he would take up arms against the Indians, even with no commission but his sword ; and news was soon brought that his own men had been slain on his plantation, near the scenes where the James River leaps into the lowlands, and the city of Richmond now towers above the unrivalled magnificence of flood and vale. The people were

April. ripe for insurrection ; men flocked together tumultuously, running in troops from one plantation to another without a head.¹ The government had ceased to be

April 20, 1676. revered. The council was divided. Five hundred men were soon under arms ; the common voice proclaimed Bacon the leader of the enterprise, and his commanding abilities gave the ascendancy to the principles which he advocated, and the party which he espoused.

Moderation on the part of the government would still have secured peace. Sober men in Virginia were of opinion that a few concessions—the secure possession of land, the liberties of free-born subjects of England, a diminution of the public expenses, a tax on real estate rather than on polls alone—would have quieted the colony.² The real causes of the insur-

¹ Beverley, 68.

² Bland's Letter to Berne, in the letter was one of the victims of the rebellion. Henning, ii. 350. Burk, ii. 248, 249. The writer of T. M.'s Account, 24.

rection lay in the oppression of the navigation acts, indignation at colonial tyranny, and the rising passion for self-government. CHAP.
XIV.
1676.

Hardly had Bacon begun to march against the Indians, when Berkeley, yielding to the instigations of an aristocratic faction, proclaimed him and his followers rebels, and levied troops to pursue them. "Those of estates obeyed"¹ the summons to disperse. Bacon, with a small but faithful band, continued his expedition, while a new insurrection compelled Berkeley to return to Jamestown. The lower counties had risen in arms, and, directing their hatred against the old assembly, to which they ascribed their griefs, demanded its "immediate dissolution."² April.

With the whole mass of the people against him, the haughty Cavalier was compelled to yield. The assembly, which had become odious by its long duration, the selfishness of its members, and its diminution of popular freedom, was dissolved; writs for a new election were issued; and Bacon, returning in triumph from his Indian warfare, was unanimously elected a burgess from Henrico county.³

In the choice of this assembly, the late disfranchisement of freemen was little regarded.⁴ A majority of the members returned were "much infected" with the principles of Bacon;⁵ and their speaker, Thomas Godwin, was notoriously a friend to all "the rebellion and treason which distracted Virginia."⁶ In the midst of contradictory testimony on the character of the insur-

¹ T. M.'s Account, 11. Compare Burwell Account, 34, 35. T. M. derived his statement from Bacon himself.

² Review, in Burk, ii. 250.

³ T. M.'s Account, 11, 12.

⁴ Review, in Burk, ii. 251 and 260.

⁵ Justification of Berkeley, in Burk, ii. 260.

⁶ Hening, ii. 365 and 557.

CHAP. gents, the acts of the assembly furnish the highest
 XIV. historical evidence, and must be taken as paramount
 1676. authority on the purposes of "the Grand Rebellion in
 Virginia."

June
 5-24.

The late expenditures of public money had not been accounted for.¹ High debates arose on the wrongs of the indigent, who were oppressed by taxes alike unequal and exorbitant.² The monopoly of the Indian trade was suspended.³ A compromise with the insurgents was effected; on the one hand, Bacon acknowledged his error in acting without a commission,⁴ and the assemblies of disaffected persons were censured as acts of mutiny and rebellion;⁵ on the other hand, Bacon was appointed commander-in-chief,⁶ to the universal satisfaction of the people, who made the town ring with their joyous acclamations, and hailed "the darling of their hopes" as the appointed defender of Virginia.⁷ The church aristocracy was broken up by limiting the term of office of the vestrymen to three years, and giving the election of them to the freemen of each parish.⁸ The elective franchise was restored to the freemen whom the previous assembly had disfranchised; and, as "false returns of sheriffs had endangered the peace," the purity of elections was guarded by wholesome penalties.⁹ The arbitrary annual assessments, hitherto made by county magistrates, irresponsible to the people, were prohibited; the Virginians insisted on the exclusive right of taxing themselves, and made provision for the county levy,—it was a radical measure, which inde-

¹ Compare Culpepper, in *Chalmers*, 356.

² T. M.'s Account, 13.

³ Henning, ii. 350.

⁴ *Ibid.* ii. 543, 544.

⁵ Henning, ii. 352.

⁶ *Ibid.* ii. 349.

⁷ Burwell Account, 36.

⁸ Henning, ii. 356.

⁹ *Ibid.* ii. 357.

pendent Virginia has not yet imitated,—by the equal vote of their own representatives. The fees of the governor, in cases of probate and administration, were curtailed; the unequal immunities of councillors were abrogated;¹ the sale of wines and ardent spirits was absolutely prohibited, if not at Jamestown, yet otherwise through the whole country;² two of the magistrates, notorious for raising county taxes for their private gains, were disfranchised; and finally, that there might be no room for future reproach or discord, all past derelictions were covered under the mantle of a general amnesty.³ The acts of this assembly manifest the principles of Bacon; and were they not principles of justice, freedom, and humanity?

CHAP.
XIV.
1676.
June.

The measures of the assembly were not willingly conceded by Berkeley, who refused to sign the commission that had been promised.⁴ Fearing treachery, Bacon secretly withdrew, to recount his wrongs to the people; and in a few days he reappeared in the city at the head of nearly five hundred armed men.⁵ Passion sustained for a season the courage of the old Cavalier—advancing to meet the troops, and baring his breast, he cried, “A fair mark, shoot.”—“I will not,” replied Bacon, “hurt a hair of your head, or of any man’s; we are come for the commission to save our lives from the Indians.”⁶ When passion had subsided, Berkeley yielded. The commission was issued; the governor united with the burgesses and council in transmitting to England warm commendations of the zeal, loyalty,

¹ Hening, ii. 357, 358, 359.

² Ibid. ii. 361. “Ordinaries to sell and utter man’s meate, horse-meate, beer, and syder, but no other strong drink whatsoever.” James City formed an exception.

³ Hening, ii. 363, 364.

⁴ Correct Burk, ii. 167, 168, by p. 251, and Burwell Account, 35, 36, and by T. M.’s Account, 15. “Governor’s generosity, wheedles to amuse and circumvent,” &c.

⁵ Hening, ii. 380, says 600.

⁶ T. M.’s Account, 17.

CHAP. XIV. and patriotism of Bacon, and the ameliorating legisla-
 1676. tion of the assembly was ratified. That better legis-
 June lation was completed, according to the new style of
 24, computation, on the fourth day of July,¹ 1676, just one
 O. S. hundred years, to a day, before the congress of the
 United States, adopting the declaration which had been
 framed by a statesman of Virginia, who, like Bacon, was
 "popularly inclined," began a new era in the history
 of man. The eighteenth century in Virginia was the
 child of the seventeenth; and Bacon's rebellion, with
 the corresponding scenes in Maryland, and Carolina,
 and New England, was the early harbinger of Amer-
 ican independence and American nationality.

A momentary joy pervaded the colony. Encouraged
 by the active energy of Bacon, men scoured the forests
 and the swamps, wherever an Indian ambush could
 lie concealed. Security dawned; industry began to
 resume its wonted toils; when, just as the little army
 was preparing to march against the enemy, the gov-
 ernor violated the amnesty. Repairing to Gloucester
 county, the most populous and most loyal in Virginia,
 he summoned a convention of the inhabitants. "The
 whole convention" disrelished his proposals; esteeming
 Bacon the defender of their countrymen.² But the
 petulant pride of the Cavalier could not be appeased;
 against the advice of the most loyal county in Virginia,
 Bacon was once more proclaimed a traitor.³

But when did Virginia ever desert her patriot citi-
 zens? The news was conveyed to the camp by
 Drummond, the former governor of North Carolina,
 and by Richard Lawrence,⁴ a pupil of Oxford, distin-

¹ Hening, ii. 363. "June twenty-
 fourth," old style; that is, July 4,
 1676.

² Burwell Account, 38.

³ Burwell Account, 39. Burk,
 ii. 61. Beverley, 71.

⁴ T. M.'s Account, 15. Burwell
 Account, 79.

guished from the university for learning and sobriety, a man of deep reflection and of energy of purpose. CHAP.
XIV
 "It vexes me to the heart," said Bacon, "that while I am hunting the wolves and tigers that destroy our lambs, I should myself be pursued as a savage. Shall persons wholly devoted to their king and country—men hazarding their lives against the public enemy—deserve the appellation of rebels and traitors? The whole country is witness to our peaceable behavior. But those in authority, how have they obtained their estates? Have they not devoured the common treasury? What arts, what sciences, what schools of learning, have they promoted? I appeal to the king and parliament, where the cause of the people will be heard impartially."¹ 1676.

Meanwhile, addressing himself to the people of Virginia, he invited all, by their love of country, their love to their wives and children, to gather in a convention, and rescue the colony from the tyranny of Berkeley. The call was answered; none were willing to sit idle in the time of general calamity. Aug.
3.
 The most eminent men in the colony came together at Middle Plantations, now Williamsburgh; Bacon excelled them all in arguments; the public mind seemed to be swayed by his judgment, and an oath was taken by the whole convention, to join him against the Indians, and, if possible, to prevent a civil war. Should the governor persevere in his obstinate self-will, they promise to protect Bacon against every armed force; and after long and earnest arguments, held before the people in the open air from noon till midnight, it was resolved that, even if troops should

¹ Burwell Account, 39—41.

CHAP. arrive from England, Virginia would resist till an
XIV. appeal could reach the king in person.¹

1676. Fortified by the vote of the people, Bacon proceeded against the Indians, while Berkeley withdrew beyond the Chesapeake, and, by promises of booty, endeavored to collect an army on the eastern shore, and among the seamen in the harbor.

The condition of Bacon and his followers became critical. Drummond, who was versed in the early history of Virginia, advised that Berkeley should be deposed, and Sir Henry Chichely substituted as governor. The counsel was disliked. "Do not make so strange of it," said Drummond, "for I can show, from ancient records, that such things have been done in Virginia."² Besides, the period of ten years, for which Berkeley was appointed, had already expired.³ After much discussion, it was agreed, that the retreat of the governor should be taken for an abdication; and Bacon, who had been a member of the council, with four of his colleagues, issued writs for a representative convention of the people, by which the affairs of the colony should be managed. Virginia was revolutionized by the act of its own inhabitants, and government was instituted on the basis of popular power. The wives of Virginia statesmen shared the enthusiasm. "The child that is unborn," said Sarah Drummond, "a notorious and wicked rebel," "shall have cause to rejoice for the good that will come by the rising of the country."⁴ "Should we overcome the governor," said Ralph

¹ Burwell Account, 41—46. Burk, ii. 261. T. M.'s Account, p. 21, less distinct. Cotton, p. 7, very clearly told. Beverley, 73, 74.

² Bonds, &c. from 1677 to 1682, p. 106, in office of General Court at Richmond, where I copied this

and other incidents relating to Bacon's rebellion from unpublished records.

³ Bonds, &c. p. 107. Berkeley, in Chalmers, calls his government a settlement of ten years.

⁴ Bonds, &c. p. 105.

Weldinge, "we must expect a greater power from England, that would certainly be our ruin." Sarah Drummond remembered that England was divided into hostile factions for the duke of York and the duke of Monmouth. Taking from the ground a small stick, she broke it in twain, adding, "I fear the power of England no more than a broken straw." The relief from the hated navigation acts seemed certain. Now "we can build ships," it was urged, "and like New England trade to any part of the world."¹ The stout-hearted woman would not suffer a throb of fear in her bosom. In the greatest perils to which her husband was exposed, she confidently exclaimed, "We shall do well enough;" continuing to encourage the people and inspire the soldiers with her own enthusiasm.²

After the lapse of a century, the same passions and the same legislation returned. The early legislators of America were near to nature, and set natural precedents. Connecticut had offered a model for a popular government; Virginia gave an example of a popular revolution. There is an analogy between early American politics and the earliest heroic poems. Both were spontaneous, and both had the vitality of truth. Long as natural affection endures, the poems of Homer will be read with delight; long as freedom lives on earth, the early models of popular legislation and action in America will be admired. The present effort wins new interest from its failure. The flag of freedom was unfurled only to be stained with blood; the accents of liberty were uttered only to be choked by executions.

¹ Compare Bonds, &c. pp. 110 and 89.

² Bonds, &c. p. 89.

CHAP. XIV.
 1676. Meantime Sir William Berkeley collected in Accomack a large crowd of followers; men of a base and cowardly disposition, allured by the passion for plunder.¹ Civil wars were one of the means of enfranchising the serfs of England. Berkeley promised freedom to the servants of the insurgents, if they would rally under his banner. The English vessels in the harbors naturally joined his side. With a fleet of five ships and ten sloops, attended by royalists, a rabble of covetous hirelings, and a horde of Indians,² the Cavalier sailed for Jamestown, where he landed without opposition. Entering the town, he fell on his knees, returning thanks to God for his safe arrival; and again proclaimed Bacon and his party traitors and rebels.

Sept.
8.

The cry resounded through the forests for "the countrymen" to come down. "Speed," it was said, "or we shall all be made slaves—man, woman, and child." "Your sword," said Drummond to Lawrence, "is your commission and mine too; the sword must end it;"³ and both prepared for resistance.

Returning from a successful expedition, and disbanding his troops, Bacon had retained but a small body of men for his personal defence, when the tidings of the fleet from Accomack surprised him in his retirement. His eloquence inspired his few followers with courage. "With marvellous celerity" they hasten towards their enemy. On the way they secure as hostages the wives of royalists who were with Berkeley, and they soon appear under arms before

¹ All accounts concur. Berkeley's Vindication, in Burk, ii. 262, "Taking any thing from the rebels, imputed a heinous crime." The complaint implies that there had been pillage. Review, in Burk, ii. 252. Burwell Account, 47, 48.
² Bonds, &c. 113, 114.
³ Ibid. 110, 113.

Jamestown. The trumpet sounds defiance; and, under the mild light of a September moon, a rude intrenchment is thrown up. Civil war was begun. Night, the season, nature, freedom, all, demanded peace. If the New World could not create friendship among the outcasts from Europe, were not the woods wide enough to hide men from each other's anger?

Victory did not hesitate. The followers of Berkeley were too cowardly to succeed in a sally;¹ and to secure plunder they made grounds to desert.² No considerable service was done, except by the seamen. What availed the passionate fury and desperate courage of a brave and irascible old man? The royalists deserted the town, and escaped in their fleet by night.

On the morning after the retreat, Bacon entered the little capital of Virginia. There lay the ashes of Gosnold; there the gallant Smith had told the tale of his adventures of romance; there English wives had been offered for sale to eager colonists; there Pocahontas had sported in the simplicity of innocence. For nearly seventy years, it had been the abode of Anglo-Saxons. But could Bacon retain possession of the town? And should he abandon it as a strong-hold for the enemies of his country? The rumor prevailed that a party of royalists from the northern counties was drawing near. In a council of war, it was resolved to burn Jamestown, the only town in Virginia, that no shelter³ might remain for an enemy. Should troops arrive from England, every man was ordered to retire into the wilderness.⁴ Tyrants would hardly chase the

¹ Burwell Account, 53, 54.

² Review, in Burk, ii. 252.

³ For the motive, Cotton, p. 8, and T. M.'s Account, p. 21. "The

rogues should harbor no men there."

"To prevent a future siege."

⁴ T. M.'s Account, p. 21.

CHAP. planters into their scattered homes, among the woods.
 XIV. And, as the shades of night descended, the village
 1676. was set on fire. Two of the best houses belonged to
 Lawrence and Drummond; each of them, with his
 own hand, kindled the flames that were to lay his
 dwelling in ashes.¹ The little church, the oldest in
 the Dominion, the newly-erected statehouse, were
 consumed. In the darkness of night, the conflagration
 blazed high in the air, and was seen by the fleet that
 lay at anchor twenty miles below the town.² Virginia
 offered its only village as a victim for its freedom.
 Patriots fired their own houses, lest they should harbor
 enemies to their country. Thus fell Jamestown;
 the ruins of the tower of the church, and the memo-
 rials in the adjacent grave-yard, are all that mark for
 the stranger the peninsula of Jamestown.³

From the smoking ruins, Bacon hastened to meet
 the royalists from the Rappahannock. No engage-
 ment ensued; the troops in a body joined the patriot
 party; and Brent, their royalist leader, was left at the
 mercy of the insurgents. Even the inhabitants of
 Gloucester, the most loyal county in Virginia, were
 induced to take the engagement. Nothing remained
 but to cross the bay, and revolutionize the eastern
 shore.

The little army of Bacon had been exposed, by night,
 to the damp dews of the lowlands; and the evening air
 of the balmy autumn was laden with death. Bacon
 himself suddenly sickened; his vital energies vainly
 struggled with the uncertain disease,⁴ and on the first

¹ T. M.'s Account, 21.

² Review, in Burk, ii. 252, and
 Burwell Account, 54.

³ Hawks's Contributions, 20.

⁴ Was Bacon poisoned? He-

ning rashly ventures the conjec-
 ture, ii. 374. Yet in 1680, Hening,
 ii. 460, his death is called "infam-
 ous and exemplary;" and, in
 1677, Hening, ii. 374, it is called

day of October he died. Seldom has a political leader been more honored by his friends "Who is there now," said they, "to plead our cause? His eloquence could animate the coldest hearts; his pen and sword alike compelled the admiration of his foes, and it was but their own guilt that styled him a criminal. His name must bleed for a season; but when time shall bring to Virginia truth crowned with freedom, and safe against danger, posterity shall sound his praises."¹

CHAP.
XIV.
1676.

An uneducated people obeys promptly the first call to action for freedom; it is less capable of union and perseverance. The death of Bacon left his party without a head. A series of petty insurrections followed; but in Robert Beverley the royalists found an agent superior to any of the remaining insurgents. The ships in the river were at his disposal, and a continued warfare in detail restored the supremacy of the governor.

Thomas Hansford, a native Virginian, was the first partisan leader whom Beverley surprised. Young, gay, and gallant, nursed among the forests of the Old Dominion, fond of amusement, not indifferent to pleasure, impatient of restraint, keenly sensitive to honor, fearless of death, and passionately fond of the land that had given him birth, he was a true representative of the Virginia character. Summoned before

Nov.
13.

"just, and most exemplary." In Hening, ii. 426, in a subsequent order from England, "all waies of force and designe" are sanctioned. An old poet in the Burwell Account, p. 58, writes—

"Virginia's foes, dreading their just desert,
Corrupted Death by Paracelsian art
Him to destroy."

And a royalist, in reply, p. 59, does not hesitate to write—

"Then how can it be counted for a sin,
Though Death, nay, though myself had
bribed been,
To guide the fatal shaft? We honor all,
That lend a hand unto a traitor's fall."

¹ In the old chronicle, p. 59—

"While none shall dare his obsequies to
sing
In deserved measures, until time shall bring
Truth crowned with freedom, and from
danger free,
To sound his praises to posterity."

CHAP. the vindictive Berkeley, he disdained to shrink from
 XIV. the malice of destiny, and Berkeley condemned him to
 1676. be hanged. Neither at his trial nor afterwards did he
 show any diminution of fortitude. He demanded no
 favor, but that "he might be shot like a soldier, and
 not hanged like a dog." "You die," it was answered,
 "not as a soldier, but as a rebel." During the short
 respite after sentence, his soul was filled with the
 prospect of immortality. Reviewing his life, he
 expressed penitence for every sin. What was charged
 on him as rebellion, he denied to have been a sin.
 "Take notice," said he, as he came to the gallows,
 "I die a loyal subject and a lover of my country."
 That country was Virginia. Hansford perished, the
 first native of America, on the gallows, a martyr to the
 right of the people to govern themselves.¹

Taking advantage of their naval superiority, a party
 of royalists entered York River, and surprised the
 troops that were led by Edmund Cheesman and
 Thomas Wilford. The latter, a younger son of a
 royalist knight, who had fallen in the wars for
 Charles I., a truly brave man, and now by his
 industry a successful emigrant, lost an eye in the
 skirmish. "Were I stark blind," said he, "the
 governor would afford me a guide to the gallows."
 When Cheesman was arraigned for trial, Berkeley de-
 manded, "Why did you engage in Bacon's designs?"
 Before the prisoner could frame an answer, his wife, a
 young woman, stepped forward:—"My provocations"
 —such were her words—"made my husband join
 in the cause for which Bacon contended; but for me,
 he had never done what he has done. Since what is

¹ Burwell Account, 62. Cotton, 9. Henning, iii. 567.

done," she added, falling on her knees, "was done by my means, I am most guilty; let me bear the punishment; let me be hanged, but let my husband be pardoned." She spoke truth: but the governor angrily cried, "Away!" adding reproach to the purity of her nuptial bed. Proud insolence! As if woman would die for one she had dishonored!¹

As the power of Berkeley increased, his passions were whetted by the opportunity of indulgence. Nothing is so merciless as offended pride; a former affront is remembered as proof of weakness; and it seeks to restore self-esteem by a flagrant exercise of recovered power. Avarice also found delight in fines and confiscations; no sentiment of clemency was tolerated. From fear that a jury would bring in verdicts of acquittal, men were hurried to death from courts martial.² On meeting William Drummond, Berkeley could not repress his exultation. "You are very welcome," he cried, with a low bow; "I am more glad to see you than any man in Virginia; you shall be hanged in half an hour." The patriot, avowing boldly the part he had acted, was condemned at one o'clock, and hanged at four. His children and wife were driven from their home, to depend on the charity of the planters.³ At length it was deemed safe to resort to the civil tribunal, where the judges proceeded with the virulence of accusers. Of those who put themselves on trial, none escaped being convicted and hanged. A panic paralyzed the juries, there was in most men so much guilt or fear.⁴ What

CHAP.
XIV.

1676.

1677.
Jan.
20.

¹ Burwell Account, 64. Henning, ii. 375. Cotton, 9. ii. 370, 546, 558. Burk, ii. 201, 263, 264, 266.

² True Account, in Burk, ii. 254.

⁴ True Account, in Burk, ii. 255.

³ Bonds, &c. pp. 87 and 111. N. B. Let the reader not be led astray by the very ridiculous error

CHAP. XIV. though commissioners arrived with a royal proclamation, promising pardon to all but Bacon?¹ In defiance
 1677. of remonstrances, executions continued till twenty-
 Jan. two had been hanged. Three others had died of
 29. cruelty in prison; three more had fled before trial; two had escaped after conviction. More blood was shed than, on the action of our present system, would be shed for political offences in a thousand years. "The old fool," said the kind-hearted Charles II., with truth, "has taken away more lives in that naked country, than I, for the murder of my father." And in a public proclamation he censured the conduct of Berkeley, as contrary to his commands and derogatory to his clemency.² Nor is it certain when the carnage would have ended, had not the assembly, newly
 Feb. convened, voted an address "that the governor
 20. would spill no more blood." "Had we let him alone, he would have hanged half the country," said the member from Northampton to his colleague from Stafford.³

The memory of those who have been wronged is always pursued by the ungenerous. England, ambitious of absolute colonial supremacy, could not render justice to the principles by which Bacon was
 Feb. swayed. No printing-press was allowed in Virginia. To speak ill of Berkeley or his friends, was punished by whipping or a fine; to speak or write, or publish any thing, in favor of the rebels or the rebellion, was made a high misdemeanor; if thrice repeated, was

of Burk, ii. 200, where he narrates "the acquittal of ten in one day." Pure fiction, though repeated by a late writer. Compare Burk, ii. 255 and 263.

¹ Hening, ii. 428, 429.

² Ibid. 429. Oldmixon, i. 257,

asserts that the king highly approved of Berkeley's conduct. The proclamation must be allowed the highest possible authority to the contrary.

³ T. M.'s Account, 24. Hening,

ii. 545—558.

evidence of treason.¹ Is it strange that posterity was for more than a hundred years defrauded of the truth? Every accurate account of the insurrection remained in manuscript till the present century.²

CHAP.
XIV.
1677.

It was on occasion of this rebellion, that English troops were first introduced into the English colonies in America. Their support was burdensome. After three years they were disbanded, and probably mingled with the people.³

With the returning squadron Sir William Berkeley sailed for England. Guns were fired, and bonfires kindled at his departure.⁴ Public opinion in England censured his conduct with equal severity; and Lord Berkeley used to say, that the unfavorable report of the commissioners in Virginia caused the death of his brother. It took place soon after Sir William's arrival in England, before he had had an opportunity of waiting on the king.

The results of Bacon's rebellion were disastrous for Virginia. The suppression of an insurrection furnished an excuse for refusing a liberal charter, and conceding nothing more than a patent, containing not one political franchise.⁵ Freedom in Virginia rested on royal favor, and was measured by the royal will, except so far as the common law protected the inhabitants in the rights of Englishmen. The form of government was further defined by royal instructions⁶ that had been addressed to Berkeley. Assemblies were required to be called but once in two years, and to sit but fourteen days, unless for special reasons.

1676.
Oct.
10.

Nov.
13.

¹ Hening, ii. 385, 386.

² Compare Walsh's Appeal, 78.

³ Chalmers, 351, 352.

⁴ F. Morryson, in Burk, ii. 267.

⁵ Burk, ii. App. lxi. Hening, ii. 532. Beverley, 76.

⁶ Hening, ii. 424—426, where they are printed at large.

CHAP. "You shall take care," said the king, "that the
XIV. members of assembly be elected only by freeholders."

1677. In conformity with these instructions, all the acts
Feb. of Bacon's Assembly, except perhaps one which permitted the enslaving of Indians, and which was confirmed and renewed, were absolutely repealed,¹ and the former grievances immediately returned. The private levies, unequal and burdensome, were managed by men who combined to defraud; the public revenues were often misapplied; each church was again subjected to its self-perpetuating vestry; an enormous loss had been sustained by the insurrection; and the burden was more severely felt by the poorer classes, because the elective franchise was circumscribed, while taxes continued to be levied by the poll.² The commissioners sent by the king to inquire into the condition of Virginia, allowed every district to present its afflictions. The happy county of Westmoreland, the county of which John Washington was a burgess and a magistrate,³ declared that it felt no grievances.⁴ In other counties there were long reports of tyranny and rapine. But if complaints were heard with impartiality—if the rash imprudence of Berkeley did not escape rebuke—every measure of effectual reform was considered void, and every aristocratic feature that had been introduced into legislation, was perpetuated.

While the restoration had thus been attended by scenes of carnage and civil war, the progress of Maryland, under the more generous proprietary government, was tranquil and rapid. Like Virginia, Maryland was a

¹ Hening, ii. 380; ii. 346, 404.

² Culpepper, in Chalmers, 355, 356.

³ Hening, ii. 250, 309, 330.

⁴ Chalmers, 338.

colony of planters; its staple was tobacco, and its prosperity was equally checked by the pressure of the navigation acts. Like Virginia, it possessed no considerable village; its inhabitants were scattered among the woods and along the rivers; each plantation was a little world within itself, and legislation vainly attempted the creation of towns by statute. Like Virginia, its laborers were in part indentured servants, whose term of service was limited by persevering legislation;¹ in part negro slaves, who were employed in the colony from an early period, and whose importation was favored both by English cupidity and by provincial statutes.² As in Virginia, the appointing power to nearly every office in the counties as well as in the province, was not with the people; and the judiciary was placed beyond their control.³ As in Virginia, the party of the proprietary, which possessed the government, was animated by a jealous regard for prerogative, and by the royalist principles, which derive the sanction of authority from the will of Heaven. As in Virginia, the taxes levied by the county officers were not conceded by the direct vote of the people, and were, therefore, burdensome alike from their excessive amount and the manner of their levy.⁴ But though the administration of Maryland did not favor the increasing spirit of popular liberty, it was marked by conciliation and humanity. To foster industry, to promote union, to cherish religious peace,—these were the honest purposes of Lord Baltimore during his long supremacy.

CHAP.
XIV.

¹ Bacon, 1661, c. x.; 1662, c. vi.
² Ibid. 1671, c. ii.; confirmed 1672, c. ii.; renewed Oct. 1692, c. lii.
³ Macculloch's Maryland, 155, &c.
⁴ This is in part inference from the laws at large. Compare T. M.'s Account of Bacon's Rebellion, p. 21. An important passage.

CHAP.
XIV.

At the restoration, the authority of Philip Calvert, whom the proprietary had commissioned as his deputy, was promptly and quietly recognized. Fendall, the former governor, who had obeyed the impulse of the popular will as paramount to the authority of Baltimore, was convicted of treason. His punishment was mild; a wise clemency veiled the incipient strife between the people and their sovereign, under a general amnesty. Peace was restored, but Maryland was not placed beyond the influence of the ideas which that age of revolution had set in motion; and the earliest opportunity would renew the strife.

Yet the happiness of the colony was enviable. The persecuted and the unhappy thronged to the domains of the benevolent prince. If Baltimore was, in one sense, a monarch—like Miltiades at Chersonesus, and other founders of colonies of old—his monarchy was tolerable to the exile who sought for freedom and repose. Numerous ships found employment in his harbors. The white laborer rose rapidly to the condition of a free proprietor; the female emigrant was sure to improve her condition, and the cheerful charities of home gathered round her in the New World. Affections expanded in the wilderness, where artificial amusements were unknown. The planter's whole heart was in his family; his pride in the children that bloomed around him, making the solitudes laugh with innocence and gayety.

Emigrants arrived from every clime; and the colonial legislature extended its sympathies to many nations, as well as to many sects. From France came Huguenots; from Germany, from Holland, from Sweden, from Finland, I believe from Piedmont, the children of misfortune sought protection under the

tolerant sceptre of the Roman Catholic. Bohemia ^{CHAP. XIV.} itself,¹ the country of Jerome and of Huss, sent forth its sons, who at once were made citizens of Maryland with equal franchises. The empire of justice and humanity, according to the light of those days, had been complete but for the sufferings² of the people called Quakers. Yet they were not persecuted for their religious worship, which was held publicly and without interruption.³ "The truth was received with reverence and gladness;" and with secret satisfaction George Fox relates that members of the legislature and the council, persons of quality, and justices of the peace, were present at a large and very heavenly meeting. The Indian emperor, after a great debate with his council, came also, followed by his kings, with their subordinate chieftains, and, reclining on the eastern shore of the Chesapeake, they listened to the evening discourse of the benevolent wanderer. At a later day, the heir of the province attended a Quaker assembly. But the refusal of the Quakers to perform military duty subjected them to fines and harsh imprisonment; the refusal to take an oath sometimes involved them in a forfeiture of property; nor was it before 1688, six years after the arrival of William Penn in America, that indulgence was fully conceded.

Meantime the virtues of benevolence and gratitude ripened together. Charles, the eldest son of the 1662. proprietary, came to reside in the province which was to be his patrimony. He visited the banks of the Delaware,⁴ and struggled to extend the limits of his

¹ Bacon, 1666, c. vii.

² Besse, ii. 381—388. Very exact. McMahon, 227, less full than the Quaker historian.

³ George Fox's Journal, 448, &c.

⁴ Albany Records, xvii. 286.

"Young Baltimore has in contemplation to make a visit on the river." xvii. 297.

CHAP. jurisdiction.¹ As in Massachusetts, money was coined
 XIV. at a provincial mint,² and, at a later day, the value of
 1686. foreign coins was arbitrarily advanced. A duty was
 levied on the tonnage of every vessel that entered
 1662. the waters.³ It was resolved to purchase a state-
 1674. house, which was subsequently built at a cost of forty
 thousand pounds of tobacco—about a thousand dollars.
 1666. The Indian nations were pacified; and their rights,
 subordination, and commerce, defined and established.
 But the mildest and most amiable feature of legislation
 1662. is found in the acts of compromise⁴ between Lord
 1671. Baltimore and the representatives of the people, in
 1674. which the power of the former to raise taxes was
 accurately defined; and the mode of paying quit-rents
 established on terms favorable to the colony; while,
 on the other hand, a custom of two shillings a
 hogshead was levied on all exported tobacco, of
 which a moiety was appropriated to the defence of
 the government; the residue became conditionally the
 revenue of the proprietary. The compromise, though
 called “an act of gratitude,” was favorable to the
 colonists. The people held it a duty themselves to
 bear the charges of government, and they readily
 acknowledged the unwearied care of the proprietary
 for the welfare of his dominions.

Thus was the declining life of Cecilius Lord Baltimore, the father of Maryland, the tolerant legislator, the benevolent prince, blessed with the success which philanthropy deserves. The colony which he had planted in youth, crowned his old age with its grati-

¹ Compare Albany Records, xvii. 315, 245; xviii. 337—365. More on this subject hereafter. Heerman's Journal sheds a clear light on the controversy with Penn.

² Bacon, 1661, c. iv.; 1662, c. viii.; 1666, c. iv.

³ Ibid. 1661, c. vii.

⁴ Ibid. 1662, c. xix.; 1671, c. xi.; 1674, c. i.

tude. Who among his peers could vie with him in honors? A firm supporter of prerogative, a friend to the Stuarts, he was touched with the sentiment of humanity; an earnest disciple of the Roman church, of which he venerated the expositions of truth as infallible, he, first among legislators, established an equality among sects. Free from religious bigotry, a lover of concord and of tranquillity, he could not rise above the political prejudices of his party. He knew not the worth or the fruits of popular power; he had not perceived the character of the institutions which were forming in the New World, and his benevolent designs were the results of his own moderation, the fruit of his personal character, without regard to the spirit of his age. In Rhode Island, intellectual freedom was a principle which Roger Williams had elicited from the sympathies of the people; in Maryland, it was the happy thought of the sovereign, who did not know that ideas find no secure shelter but in the breast of the multitude. The people are less easily shaken than the prince. Rhode Island never lost the treasure of which it had become conscious. The principle of freedom of mind did not exist in the people of Maryland, and, therefore, like the benevolence of individuals, was an uncertain possession, till the same process of thought, which had redeemed the little colony of the north, slowly, but surely, infused itself into the public mind on the Chesapeake. Lord Baltimore failed to obtain that highest fame, which springs from successful influence on the masses; his personal merits are free from stain. The commercial metropolis of Maryland commemorates his name; the memory of his wise philanthropy survives in American history. He died after a supremacy of more than

CHAP.
XIV.

1675.
Nov.
30.

CHAP. XIV. forty-three years, leaving a reputation for temperate wisdom, which the dissensions in his colony and the various revolutions of England could not tarnish. He did not leave the impress of his mind on the political character of Maryland, and, therefore, failed of obtaining the brightest glory of a legislator. Of the elements of which he was primarily the author, nothing endured but the rights of property reserved for his family.

1676. The death of Cecilus recalled to England the heir of the province, who had now administered its government for fourteen years with a moderation which had been rewarded by the increasing prosperity of his patrimony. Previous to his departure, the whole code of laws received a thorough revision; the memorable act of toleration was confirmed. Virginia had, six
1670. years before, prohibited the importation of felons until
April the king or privy council should reverse the order. In
20. Maryland, "the importation of convicted persons" was absolutely prohibited without regard to the will of the king or the English parliament, and in 1692 the prohibition was renewed.¹ The established revenues of the proprietary were continued.

As Lord Baltimore sailed for England, the seeds of discontent were already germinating. The office of proprietary, a feudal principality, with extensive manors in every county, was an anomaly; the sole hereditary legislator in the province, his power was ~~not~~ in harmony with the political predilections of the colonists, or the habits of the New World. The doctrine of the paramount authority of an hereditary sovereign was at war with the spirit which emigration fostered, and the principles of civil equality naturally

¹ Hening, ii. 509, 510. Bacon, 1676, c. xvi.

grew up in all the British settlements. The insurrection of Bacon found friends north of the Potomac, and a rising was checked only by the prompt energy of the government.¹ But the vague and undefined cravings after change, the tendency toward more popular forms of administration, could not be repressed. The assembly which was convened during the absence of 1678. the proprietary shared in this spirit; and the right of suffrage was established on a corresponding basis.² The party of "Baconists" had obtained great influence on the public mind. Differences between the proprietary and the people became apparent. On his return to the province, he himself, by proclamation, 1681. annulled the rule which the representatives of Maryland had established respecting the elective franchise, and, by an arbitrary ordinance, limited the right of June 27. suffrage to freemen possessing a freehold of fifty acres, or having a visible personal estate of forty pounds. Sept. 6. No difference was made with respect to color. In Virginia, the negro, the mulatto, and the Indian, were first disfranchised in 1723; in Maryland, they retained by law the right of suffrage till the time when the poorest white man recovered his equal franchise. 1802. These restrictions, which, for one hundred and twenty-one years, successfully resisted the principle of universal suffrage among freemen of the Caucasian race, were introduced in the midst of scenes of civil commotion. Fendall, the old republican,³ was again planning schemes of insurrection, and even of independence. The state was not only troubled with poverty, but

¹ T. M.'s Account, p. 21. Lord Baltimore to the earl of Anglesey, in Chalmers, p. 376. "In the time of Bacon's rebellion, he [Fendall] tried to raise a rebellion here."

² Bacon, 1678, c. iii. McMahon, 445.

³ Documents, in Chalmers, 376. The letter is from Lord Baltimore, —of course, an *ex parte* statement.

CHAP. was in danger of falling to pieces; for it was said,
 XIV. "The maxims of the old Lord Baltimore will not do
 in the present age."¹

The insurrection was for the time repressed; but its symptoms were the more alarming from the religious fanaticism with which the principle of popular power was combined. The discontents were increased by hostility toward the creed of Papists; and, as Protestantism became a political sect, the proprietary government was in the issue easily subverted; for it had struck no deep roots either in the religious tenets, the political faith, or the social condition of the colony. It had rested only on a grateful deference, which was rapidly wearing away.

1676. Immediately on the death of the first feudal sovereign of Maryland, the powerful influence of the archbishop of Canterbury had been solicited to secure an establishment of the Anglican church, which clamored for favor in the province where it enjoyed equality. Misrepresentations were not spared. "Maryland," said a clergyman of the church, "is a pest-house of iniquity." The cure for all evil was to be "an established support of a Protestant ministry."² The prelates demanded, not freedom, but privilege; an establishment to be maintained at the common expense of the province. Lord Baltimore resisted; the Roman Catholic was inflexible in his regard for freedom of worship.

The opposition to Lord Baltimore as a feudal sovereign easily united with Protestant bigotry; and
 1681. when the insurrection was suppressed by methods of clemency and forbearance, the government was

¹ Culpepper, in Chalmers, 357.

² Rev. J. Yeo, in Chalmers, 378.

vehemently accused of favor towards Papists. The opportunity was too favorable to be neglected; the English ministry soon issued an order, that offices of government in Maryland should be intrusted exclusively to Protestants. Roman Catholics were disfranchised in the province which they had planted.

With the colonists Lord Baltimore was at issue for his hereditary authority, with the English church for his religious faith; attempts to modify the unhappy effects of the navigation acts on colonial industry, involved him in opposition to the commercial policy of England. His rights of jurisdiction had been disregarded; the custom-house officer of Maryland had been placed under the superintendence of the governor of Virginia; and the unwelcome relations, resisted by the officers of Lord Baltimore, had led to quarrels and bloodshed, which were followed by a controversy with Virginia.¹ The accession of James II. seemed an auspicious event for a Roman Catholic proprietary; but the first result from parliament was an increased burden on the industry of the colony, by means of a new tax on the consumption of its produce in England; while the king, who meditated the subversion of British freedom, resolved, with impartial injustice, to reduce all the colonies to a direct dependence on the crown. The proprietary, hastening to England, vainly pleaded his irreproachable administration. monstrance was disregarded, and chartered rights despised; and a writ of *quo warranto* was ordered against the patent of Lord Baltimore. But before the legal forms could be brought to an issue, the people of England had sat in judgment on their king.

¹ Communicated from Maryland Records.

CHAP. XIV. The approach of the revolution effected no immediate benefit to Lord Baltimore. What though
 1688. mutinous speeches and practices against the proprietary government were punishable by whipping, boring the tongue, imprisonment, exile, death itself? The spirit of popular liberty, allied to Protestant bigotry and the clamor of a pretended popish plot, was too powerful an adversary for his colonial government. William Joseph, the president to whom he had intrusted the administration, convened an assembly. The address on opening it, explains the character of the proprietary, and of the insurrection which followed. "Divine Providence," said the representative of Lord Baltimore, "hath ordered us to meet. The power by which we are assembled here, is undoubtedly derived from God to the king, and from the king to his excellency, the lord proprietary, and from his said lordship to us. The power, therefore, whereof I speak, being, as said, firstly, in God and from God; secondly, in the king and from the king; thirdly, in his lordship; fourthly, in us;—the end and duty of, and for which this assembly is now called and met, is that from these four heads, to wit: from God, the king, our lord, and
 Nov. selves." Having thus established the divine right of the proprietary, he endeavored to confirm it by invading the privileges of the assembly, and exacting a special oath of fidelity to his dominion. The assembly resisted the attempt; and was prorogued.¹ Is it strange that excitements increased; that they were heightened by tidings of the invasion of England; that they were kindled into a flame by a delay in proclaiming the new sovereign? An organized insur-

¹ McMahon, 235. The chapters most accurate of them all. Chalmers on Maryland are the best. Chalmers had resided in Maryland.

rection was conducted by John Coode, of old an associate of Fendall; and "The Association in arms for the defence of the Protestant religion," usurped the government. Can the cause of liberty never be asserted in perfect purity? The revolution was a sign of the advancing spirit of the age; yet Coode was a worthless man. His party was strengthened by the most false and virulent calumnies against the absent proprietary, and the overthrow of liberty of conscience was menaced by the insurrection. But would the reformed English government suffer Papists to be oppressed in the colony where Papists had proclaimed freedom of mind, and set the example of toleration? Would the new dynasty seek to appropriate to itself the power and the rights that had been wrested from Lord Baltimore by turbulent violence? The method pursued by the ministry of William and Mary towards Maryland would test their sincerity, and show whether they were governed by universal principles of justice, or had derived their inspiration for liberty from circumstances and times—whether they had made a revolution in favor of humanity or in behalf of established privileges.

About two years after Virginia had been granted to Arlington and Culpepper, the latter obtained an appointment as governor of Virginia for life, and was proclaimed soon after Berkeley's departure.¹ The Ancient Dominion was changed into a proprietary government, and the administration surrendered, as it were, to one of the proprietaries, who, at the same time, was sole possessor of the immense domain between the Rappahannock and the Potomac. Cul-

CHAP.
XIV.
1689.
Aug.
23.

1675.
July
8.
1677.
Aug.
25.

¹ Hening, ii. 564.

CHAP. pepper was disposed to regard his office as a sine-
 XIV. cure, but the king chid him for remaining in England;

1680. and embarking for Virginia, the governor, early in 1680, arrived in his province.¹ He had no high-minded regard for Virginia; he valued his office and his patents only as property. Clothed by the royal clemency with power to bury past contests, he perverted the duty of humanity into a means of enriching himself, and increasing his authority. Yet Culpepper was not singularly avaricious. His conduct was in harmony with the principles which prevailed in England. As the British merchant claimed the monopoly of colonial commerce, as the British manufacturer valued Virginia only as a market for his goods, so the British courtiers looked to appointments in America as a means of enlarging their own revenues, or providing for their dependants. Nothing but Lord Culpepper's avarice gives him a place in American history. Ignoble as is the claim, it contains a profound moral. Who can doubt that the people collectively exercise the appointing power more wisely than any individual?

May Having taken the oath of office at Jamestown, and
 10. organized his council of members friendly to prerogative, the wilful followers of Bacon were disfranchised.

June An assembly was convened in June, and three acts,
 8. framed in England and confirmed in advance by the great seal, were proposed for enactment. The first was of indemnity and oblivion—less clement than had been hoped, yet definitive, and therefore welcome.

¹ Burk, ii. 226. I think by 1679 of a year." His residence was must be meant 1679-80, or it is from early in the year to August, an error. Beverley was right in 1680.
 "making Culpepper's stay full short

The second withdrew from the assembly the powers it had claimed of welcoming the alien with privileges of citizenship, and declared it a prerogative of the governor. And the third, still more grievous to colonial liberty, constructed after an English precedent, yet so hateful to Virginians, that it encountered severe opposition, and was carried only from hope of pardon for the rebellion, authorized a perpetual export duty of two shillings a hogshead on tobacco, and granted the proceeds as a royal revenue for the support of government, to be accounted for, not to the assembly, but to the king.¹ Thus the power of Virginia over colonial taxation, the only check on the administration, was voted away without condition. The royal revenue was ample and was perpetual. Is it strange that political parties in Virginia showed signs of change?—that many who had been zealous among the Cavaliers, became blended with the mass of the population, and learned to distrust the royal influence?

For his own interests Lord Culpepper was equally careful. The salary of governor of Virginia had been a thousand pounds: for him it was doubled, because he was a peer. A further grant was made for house-rent. Perquisites of every kind were sought for and increased. Nay, the peer was hardly an honest man. He defrauded the soldiers of a part of their wages by an arbitrary change in the value of current coin.² Having made himself familiar with Virginia, and employed the summer profitably, in the month of August he sailed for England from Boston.³ How unlike Winthrop and Haynes, Clarke and Williams!

¹ Hening, ii. 568, 569, 458, &c. 466, &c. Beverley, p. 79.

² Beverley, 79, 80.

³ Hening, ii. 561. Hutchinson's Mass. i. 299.

CHAP. Virginia was impoverished; the low price of to-
XIV. bacco left the planter without hope. The assembly

1680. had attempted by legislation to call towns into being, and cherish manufactures. With little regard to colonial liberties, it also petitioned the king to prohibit by proclamation the planting of tobacco in the colonies for one year. The first measure could not countervail the navigation acts; with regard to the second, riots were substituted for the royal proclamation, and mobs collected to cut up the fields of tobacco-plants. The country was wretched, and therefore restless.

1682. Culpepper returned to reduce Virginia to quiet, and to promote his own interests as proprietor of the Northern Neck. A few victims on the gallows silenced discontent. The assembly was convened, and its little remaining control over the executive was wrested from it. The council constituted the General Court of Virginia; according to usage, appeals lay from it to the General Assembly. The custom was eminently favorable to the power of the people; it menaced Culpepper with defeat in his attempts to appropriate to himself the cultivated plantations of the Northern Neck. The artful magistrate fomented a dispute between the council and the assembly. The burgesses, in their high court of appeal, claimed to sit alone, excluding the council from whose decision the appeal was made; and Culpepper, having referred the question to the king for decision, soon announced that no appeals
1683. whatever should be permitted to the assembly, nor to
May the king in council, under the value of one hundred
23. pounds sterling. It shows the spirit of the council of Virginia, that it welcomed the new rule, desiring only

that there might be no appeal to the king under the value of two hundred pounds.¹ CHAP.
XIV.

The holders of land within the grant of Culpepper now lay at his mercy, and were compelled eventually to negotiate a compromise.

All accounts agree in describing the condition of Virginia, at this time, as one of extreme distress. Culpepper had no compassion for poverty—no sympathy for a province impoverished by perverse legislation—and the residence in Virginia was so irksome, that in a few months he returned to England. The council reported the griefs and restlessness of the country; and they renew the request, that the grant to Culpepper and Arlington may be recalled. The poverty of the province rendered negotiation more easy; the design agreed well with the new colonial policy of Charles II. Arlington surrendered his rights to Culpepper, and, in the following year, the crown was able to announce that Virginia was again a royal province.² 1683.
May
4
July
25

Nor did Culpepper retain his office as governor. His patent was for life; but, like so many other charters, it was rendered void by a process of law,³ not so much from regard for Virginia liberties, as to recover a prerogative for the crown. 1683.

Lord Howard of Effingham was Culpepper's successor. Like so many before and after him, he solicited office in America to get money,⁴ and resorted to the usual expedient of exorbitant fees. It is said, he did not scruple to share perquisites with his clerks. The ideas of right and wrong—the same in every breast, Aug.

¹ Hening, iii. 550. Beverley, 82, 83.

² Ibid. ii. 561, 563, 578, 521, 522. Beverley, 85.

³ Chalmers, 345.

⁴ Chalmers, 347. Beverley, 85.

CHAP. if the voice within does but find a willing listener—
 XIV. are yet obscured and perverted by men's interests and habits. In Virginia, the avarice of Effingham was the public scorn; in England, it met with no severe reprobation.

1685. The accession of James II. made but few changes in the political condition of Virginia. The suppression of Monmouth's rebellion gave to the colony useful citizens. Men connect themselves, in the eyes of posterity, with the objects in which they take delight. James II. was inexorable towards his brother's favorite. Monmouth was beheaded, and the triumph of legitimacy was commemorated by a medal, representing the heads of Monmouth and Argyle on an altar, their bleeding bodies beneath, with this inscription, "*Sic aras et scepra tuemur*;"—thus we defend our altars and our throne. "Lord chief justice is making his campaign in the west;"—I quote from a letter which James II., with his own hand, wrote to one in Europe, in allusion to Jeffries' circuit for punishing the insurgents—"he has almost done his campaign. He has already condemned several hundreds—some of whom are already executed, more are to be, and the others sent to the plantations." This is the language of the sovereign of our ancestors. The prisoners condemned to transportation were a salable commodity. Such was the demand for labor in America, that convicts and laborers were regularly purchased and shipped to the colonies, where they were sold as indented servants. The courtiers round James II. exulted in the rich harvest which the rebellion promised, and begged of the monarch frequent gifts of their condemned countrymen. Jeffries heard of the scramble, and
 1685. Sept. 19. indignantly addressed the king, "I beseech your

majesty, that I may inform you that each prisoner will be worth ten pound, if not fifteen pound, apiece ; and, sir, if your majesty orders these as you have already designed, persons that have not suffered in the service, will run away with the booty." At length the spoils were distributed. The convicts were in part persons of family and education, accustomed to elegance and ease. "Take all care," wrote the monarch, under the countersign of Sunderland, to the government in Virginia—"take all care that they continue to serve for ten years at least, and that they be not permitted in any manner to redeem themselves by money or otherwise, until that term be fully expired. Prepare a bill for the assembly of our colony, with such clauses as shall be requisite for this purpose." No Virginia legislature seconded such malice ; and in December, 1689, the exiles were pardoned.¹ Tyranny and injustice peopled America with men nurtured in suffering and adversity. The history of our colonization is the history of the crimes of Europe.

Thus did Jeffries contribute to people the New World ; on another occasion, he exerted an opposite influence. Kidnapping had become common in Bristol ; and not felons only, but young persons and others, were hurried across the Atlantic and sold for money. At Bristol, the mayor and justices would intimidate small rogues and pilferers, who, under the terror of being hanged, prayed for transportation as the only avenue to safety, and were then divided among the members of the court. The trade was exceedingly profitable—far more so than the slave-trade—and had been conducted for years. By ac-

¹ Laing's Scotland, iv. 166. Dalrymple, ii. 53. Mackintosh, Hist. of Rev. 1688. Appendix, No. ii. p. 705. Am. Ed. Chalmers, 358.

CHAP. cident it came to the knowledge of Jeffries, who
 XIV. delighted in a fair opportunity to rant. Finding that the aldermen, justices, and the mayor himself, were concerned in this kidnapping, he turned to the mayor, who was sitting on the bench, bravely arrayed in scarlet and furs, and gave him every ill name which scolding eloquence could devise. Nor would he cease till he made the scarlet chief magistrate of the city go down to the criminal's post at the bar, and plead for himself as a common rogue would have done. The prosecutions depended till the revolution, which made an amnesty; and the judicial kidnappers, retaining their gains, suffered nothing beyond disgrace and terror.¹

Meantime Virginia ceased for a season to be the favorite resort of voluntary emigrants. Men were attracted to the New World by the spirit of enterprise and the love of freedom. In Virginia, industry was depressed and the royal authority severe. The presence of a frigate had sharpened the zeal of the royal officers in enforcing the acts of navigation. The
 1685. new tax in England, on the consumption of tobacco, was injurious to the producer. Culpepper and his coun-
 1683. cil had arraigned a printer for publishing the laws, and
 Feb. ordered him to print nothing till the king's pleasure
 23. was known. And Effingham was the bearer of the royal pleasure. The best proof which Charles II. had given of his interest in Virginia, was the express instruction to allow no printing-press on any pretence whatever.² The rule was continued under James II. The methods of despotism are monotonous.

To perfect the system, Effingham established a

¹ Life of Lord Keeper Guilford, ii. 25—27.

² Hening, ii. 518. Chalmers, 545.

chancery court, in which he himself was chancellor. CHAP. XIV.
 The councillors might advise, but were without a vote. ~~~~~
 An arbitrary table of fees followed of course. This is the period when royal authority was at its height in Virginia. The executive, the council, the judges, the sheriffs, the county commissioners, and local magistrates, were all appointed directly or indirectly by the crown. Virginia* had no town-meetings—no village democracies—no free municipal institutions. The custom of colonial assemblies remained, but the assembly was chosen under a restricted franchise; its most confidential officer was ordered to be appointed by the governor,¹ and its power over the revenue was lost by the perpetual levy which it could not recall. 1686.
 The indulgence of liberty of conscience, and the Aug. enfranchisement of Papists, were in themselves un- L.
 exceptionable measures; they could bring no detriment to colonial liberties. Yet Protestantism and popular liberty in that day were identified, and toleration itself was suspected in King James. Is it strange that the colony was agitated by a party favorable to freedom? The year after Bacon's rebellion, when the royal commissioners forcibly seized the records of the assembly, the act had been voted "a violation of privilege," "an outrage never practised by the kings of England," and "never to be offered in future." When the records were again demanded, 1681.
 that this resolution might be expunged, Beverley, the clerk of the house, refused obedience to the lieutenant-governor and council, saying he might not do it without leave of the burgesses, his masters.² The same spirit of resistance was manifested by succeeding assemblies. In 1685, the first assembly convened

¹ Hening, iii. 40, 41, 550.

² Ibid. iii. 548. Burk, ii. 215, 236, 242, 243.

- CHAP. XIV. after the accession of James II., questioned a part of his negative power. Former laws had been repealed by the assembly; the king negatived the repeal, which necessarily revived the earlier law. It marks the determined spirit of the colonists, and their rapid tendency towards demanding self-government as a natural right, that the assembly obstinately refused to acknowledge this exercise of prerogative, and brought upon themselves, from King James, a censure of their "unnecessary debates and contests, touching the negative voice," "the disaffected and unquiet disposition of the members, and their irregular and tumultuous proceedings." The assembly was dissolved by royal proclamation.¹ James Collins was imprisoned and loaded with irons for treasonable expressions. The servile counsel imitated Effingham and King James; they pledged to the king their lives and fortunes, but the people of Virginia was more intractable than ever. The indomitable spirit of personal independence, nourished by the manners of Virginia, could never be repressed. Unlike ancient Rome, Virginia placed the defence of liberty, not in municipal corporations, but in persons. The liberty of the individual was ever highly prized; and freedom sheltered itself in the collected energy of the public mind. Such was the character of the new assembly which was convened some months before the British revolution. The turbulent spirit of the burgesses was greater than ever, and an immediate dissolution of the body seemed to the council the only mode of counteracting their influence. But the awakened spirit of free discussion, banished from the hall of legislation, fled for refuge among the log-houses and plantations that were sprinkled along the streams.

¹ Hening, iii. 40, 41.

The people ran to arms: general discontent threatened an insurrection. The governor, in a new country, without soldiers and without a citadel, was compelled to practise moderation. Tyranny was impossible; it had no powerful instruments.¹ Despotism sought in vain to establish itself in Virginia; when the prerogative of the governor was at its height, he was still too feeble to oppress the colony. Virginia was always "A LAND OF LIBERTY." CHAP.
XIV.

Nor let the first tendencies to union pass unnoticed. In the Bay of the Chesapeake, Smith had encountered warriors of the Five Nations; and others had fearlessly roamed to the shores of Massachusetts Bay, and even invaded the soil of Maine. Some years before Philip's war, the Mohawks committed ravages near Northampton, on Connecticut River; and the General Court of Massachusetts addressed them a letter:—
 "We never yet did any wrong to you, or any of yours,"—such was the language of the Puritan diplomatists—"neither will we take any from you, but will right our people according to justice." Maryland and Virginia had repeatedly negotiated with the Senecas. In July, 1684, the governor of Virginia and of New York, and the agent of Massachusetts, met the sachems of the Five Nations at Albany, to strengthen and burnish the covenant-chain, and plant the tree of peace, of which the top should reach the sun, and the branches shelter the wide land. The treaty extended from the St. Croix to Albemarle. New York was the bond of New England and Virginia.² The north and the south were united by the conquest of NEW NETHERLANDS.

¹ Burk, ii. 302—306.

² Colden's Five Nations, 44, &c. Massachusetts Records, 1667.

CHAPTER XV.

NEW NETHERLANDS.

CHAP.
XV. THE spirit of the age was present when the foundations of New York were laid. Every great European event affected the fortunes of America. Did a state prosper, it sought an increase of wealth by plantations in the west. Was a sect persecuted, it escaped to the New World. The reformation, followed by collisions between English dissenters and the Anglican hierarchy, colonized New England; the reformation, emancipating the United Provinces, led to European settlements on the Hudson. The Netherlands divide with England the glory of having planted the first colonies in the United States; they also divide the glory of having set the examples of public freedom. If England gave our fathers the idea of a popular representation, Holland originated for them the principle of federal union.

At the discovery of America, the Netherlands were in possession of the municipal institutions which had been saved from the wreck of the Roman world, and of the feudal liberties which the middle ages had bequeathed. The power of the people was unknown to the laws; but the landed aristocracy, the hierarchy, and the municipalities, possessed political franchises. The municipal officers, in part appointed by the sovereign, in part perpetuating themselves, had common interests

with the industrious citizens, from whom they were selected; and the nobles, cherishing the feudal right of resisting arbitrary taxation, joined the citizens in defending national liberty against encroachments. CHAP.
XV.

The urgencies of war, the reformation, perhaps also the arrogance of power, often tempted Charles V. to violate the liberties of the states; Philip II., on his accession, formed the deliberate purpose of subverting the constitutions of the Netherlands, and found in the church the willing instrument of usurpation. During the middle age, the church was the sole guardian of the people; and the political influence of the clergy rested on gratitude towards the order, which had limited absolute power by invoking the truths of religion, and, indifferent to the claims of birth, had opened for plebeian ambition an avenue to the highest distinctions. In the progress of society, the political influence of the clergy had fulfilled its office. The ward was now of age, and could protect its rights. But would the guardian resign its supremacy? The Roman hierarchy, rigidly asserting authority, refused to subject faith to inquiry, and struggled to establish a spiritual despotism: the sovereigns of Europe, equally refusing to subject their administrations to discussion, aimed at absolute dominion in the state. A new political alliance was the consequence. The Roman church, and the temporal sovereigns, during the middle age so often and so bitterly opposed, entered into a natural and necessary friendship. By increasing the number of bishops, who, in right of their office, had a voice in the states, Philip II. destroyed the balance of the constitution. 1517
to
1559.

Thus arbitrary power was arrayed against national liberty. Patriotism and hope were on the side of the provinces; despotism and bigotry on the side of Philip.

CHAP. Each party was destined to be represented in the United
XV. States. We have witnessed the sanguinary character
 of the Spanish system at St. Augustine ; we are now
 to trace the feudal liberties of the Netherlands to the
 Isle of Manhattan.

The contest in the Low Countries was one of the most memorable in the history of the human race. All classes were roused to opposition. The nobles framed a solemn petition ; the common people broke in pieces the images that filled the churches. Despotism then seized possession of the courts, and invested a commission with arbitrary power over life and property. To overawe the burghers, the citadels were filled with mercenary soldiers ; to strike terror into the nobility, Egmont and Horn were executed. Men fled ; but whither ? The village, the city, the court, the camp, were held by tyranny ; the fugitive could find no asylum but the ocean, no refuge but the pirate-ship.

The establishment of arbitrary tribunals was followed by arbitrary taxation. But feudal liberty forbade taxation except by consent ; and the levying of the tenth penny excited more commotion than the tribunal of blood. Merchant and landholder, citizen and peasant, Catholic and Protestant, were ripe for insurrection ; and even with foreign troops Alba vainly attempted to enforce taxation without representation. Just then a
 1572. April 1. party of the despised fugitive "beggars" succeeded in
 1572. July 15. gaining the harbor of Briel ; and the states of Holland, creating the prince of Orange their stadtholder, prepared to levy money and troops. Courage increased.
 1575. July 11. Zealand joined with Holland in demanding for freedom some better guaranty than the word of Philip II., and
 1576. Nov. 8. nearly all the provinces united to drive foreign troops from their soil. "The spirit that animates them," said

Sidney to Queen Elizabeth, "is the spirit of God, and is invincible." CHAP.
XV.

The particular union of five northern provinces at Utrecht, perfected the insurrection by forming the basis of a sovereignty; and a rude structure of a republic was the unpremeditated result of the revolution. 1579.
Jan.
23.

The republic of the United Netherlands was by its origin and its nature commercial. The device on the first Dutch coin was a ship laboring on the billows without oar or sails. The rendezvous of its martyrs had been the sea; the muster of its patriot emigrants had been on shipboard; and they had hunted their enemy, as the whale-ships pursue their game, in every corner of the ocean. The two leading members of the confederacy, from their situation, could seek subsistence only on the water. Holland is but a peninsula, intersected by navigable rivers; protruding itself into the sea; crowded with a dense population on a soil saved from the deep by embankments, and kept dry only by pumps driven by wind-mills. Its houses were rather in the water than on land.

And Zealand is composed of islands. Its inhabitants were nearly all fishermen; their villages were but nests of sea-fowl on the margin of the ocean. Both provinces were by nature a nursery of sailors; the principles of navigation were imbibed from infancy; every house was a school for mariners. The sport of children was among the breakers; their boyish pastimes in boats; and if their first excursions were but voyages to some neighboring port, they soon ventured into every clime, and braved the dangers of every sea. The states advanced to sudden opulence; before the insurrection,¹

¹ William Wesselinx, in *Argonautica Gustaviana*, 19.

CHAP. they could with difficulty keep their embankments in
 XV. repair; and now they were able to support large fleets and armies. They connected hemispheres; their commerce gathered into their harbors the fruits of the wide world. Producing almost no grain of any kind, Holland had the best-supplied granary of Europe: without fields of flax, it had an infinite number of weavers of linen: destitute of flocks, it became the centre of all woollen manufactures; and the country which had not a forest, built more ships than all Europe besides. Their enterprising mariners displayed the flag of the republic from Southern Africa to the Arctic circle. The ships of the Dutch, said Raleigh, outnumber those of England and ten other kingdoms.¹ To the Italian cardinal the number seemed infinite. Amsterdam was the centre of the commerce of Europe. The sea not only bathed its walls, but entered among its streets; and the fleets of its merchantmen, as seen from the ramparts, lay so crowded together, that vision was intercepted by the thick forests of masts and yards. War for liberty became unexpectedly a guaranty of opulence; Holland gained the commerce of Spain by its maritime force; it secured the wealth of the Indies by traffic. Lisbon and Antwerp were despoiled; Amsterdam, the depot of the merchandise of Europe and of the East, was esteemed beyond dispute the first commercial city of the world.

1581. Within two years of the union of Utrecht, Bath, an Englishman who had five times crossed the Atlantic, proposed to the states to conduct four ships of war to

¹ How agreeable to follow such authorities as Bentivoglio and Grotius, Sir Walter Raleigh and Sir William Temple! Compare, too, Goethe's *Egmont*; Schiller's *Abfall*, &c. A copy of *Wagenaar, Vaderlandsche Historie*, is at Albany.

America. The adventure was declined by the government; but no obstacles were offered to private enterprise. Ten years afterwards, William Wsselinx, who had lived some years in Castile, Portugal, and the Azores, proposed a West India Company; but the dangers of the undertaking were still too appalling.¹ It was not till 1597 that voyages to the New World were actually undertaken. In that year, Bikker of Amsterdam, and Leyen of Enkhuisen, each formed a company to traffic with the West Indies.² The commerce was continued with such success, that, after years of discussion, a plan for a West India Company was reduced to writing, and communicated to the States General.³ The system was not new: privileged corporations were a part of the bundle of liberties gathered together in the age of feudalism, and formed the only balance of the commercial and manufacturing interests against the aristocracy of the sword.

As years rolled away, the progress of English commerce in the west awakened the attention of the Dutch. England and Holland had been allies in the contest against Spain; had both spread their sails on the Indian seas; had both become competitors for possessions in America. For should the whole continent be abandoned to the Spanish crown? In the same year in which Smith embarked for Virginia, vast designs were ripening among the Dutch; and Grotius, himself of the commission⁴ to which the affair was referred, acquaints us with the opinions of his countrymen. The United Provinces, it was said, abounded in mariners and in unemployed capital: not the plunder

¹ Arg. Gust. 31. Mercurius Germaniæ, p. 33.

² Wagenaar, ix. 152, 153.

³ Arg. Gust. 51.

⁴ Ibid. 51, 46.

CHAP. of Spanish commerce, not India itself ; America alone,
 XV. so rich in herbs of healing virtues, in forests, and in
 1607. precious ores, could exhaust their enterprise. Their
 merchants had perused every work which shed light on
 the Western World, had gathered intelligence from the
 narratives of sailors ; and now they planned a privileged
 company, which should count the States General
 among its stockholders, and possess, exclusively, the
 liberty of approaching America from Newfoundland to
 the Straits of Magellan, and Africa from the tropics to
 the Cape of Good Hope.¹ The Spaniards are feeblest,
 it was confidently urged, where they are believed to be
 strongest ; there would be no war but on the waters,
 the home of the Batavians, whose country, conge-
 nial to adventure, and thrust into the lap of ocean,
 nursed its children in the discipline of maritime fatigue.
 It would, moreover, be glorious to bear Christianity to
 the heathen, and rescue them from their oppressors.
 Principalities might easily be won from the Spaniards,
 whose scattered citadels protected but a narrow zone.

To the eagerness of enterprise it was replied, that
 war had its uncertain events, the sea its treacheries ;
 the Spaniards would learn naval warfare by exercise ;
 and the little fleets of the provinces could hardly
 blockade an ocean, or quarrel with Spain for a conti-
 nent ; the costs of defence would exceed the resources
 of the state ; home would be lost in the search for a
 foreign world, of which the air breathed pestilence, the
 natives were cannibals, the unoccupied regions were
 infinitely and hopelessly wild. The party which de-
 sired peace with Spain, and which counted Grotius
 and Olden Barneveldt among its ornaments, for a long

¹ Grotius, *Hist.* p. 722.

time succeeded in repressing the energy of hope, and defeating every effort at Batavian settlements in the West.¹ CHAP.
XV.

While the negotiations with Spain postponed the formation of a West India Company, the Dutch found their way to the United States through another channel.

The first efforts of the Dutch merchants to share in the commerce of Asia, were accompanied with a desire to search for a north-west passage; and the ill success of Cabot and Frobisher, of Willoughby and Davis, did but animate the Netherlands to a generous rivalry. Twice in the sixteenth century did they seek a passage by the north, and vainly coasted along Nova Zembla and Muscovy. Again did the envoy of Amsterdam 1596. descend within ten degrees of the pole, passing a winter in Nova Zembla, rendered horrible by famine, by the ferocity of polar beasts of prey, and by ice; the ship was frozen in hopelessly; in two little vessels the wretched crew hardly escaped. The voyages of the Dutch were esteemed without a parallel, for their daring.

The establishment of an East India Company, with 1602. the exclusive right to commerce beyond the Cape of Mar. 20. Good Hope on the one side, and beyond the Straits of Magellan on the other, with all powers requisite for conquests, colonization, and government, covered the seas of Asia with fleets of Indiamen. The provisions in the charter of this first in the series of commercial companies, were not new; they did but convey to a corporation the baronial privileges which had in Eng-

¹ Grotii Hist. L. xvi. p. 721— would be a pleasure with guides
725. Bentivoglio, i. 37. Research like Grotius and Bentivoglio.

CHAP. XV. land been granted to Cabot and to Raleigh. Analogous to feudal privileges, they equally suited the genius of the aristocratic republic; the states, unwilling to pledge themselves to warfare in the East, purposely secured the interests of the company by the largest privileges.

Meantime Europe had not relinquished the hope of
1605, a nearer passage to Asia; and Denmark took its place
1606. among the states whose ships vainly toiled for the discovery.

No sooner was the failure known, than a company of London merchants, excited by the immense profits of voyages to the East, contributed the means for a new attempt; and HENRY HUDSON was the chosen leader of the expedition. Sailing to the north, with his only son for his companion, he coasted the shores of Greenland, and hesitated whether to attempt the circumnavigation of that country, or the passage across the pole. What though he came within eight degrees of the pole, thus surpassing every earlier navigator? After renewing the discovery of Spitzbergen, vast masses of ice compelled his return.¹

But the zeal of Hudson could not be quenched; and
1608. the next year beheld him once more engaged in a voyage, and cherishing the deceitful hope that, through the icy seas which divide Spitzbergen from Nova Zembla, he might find a path to the genial clime of Southern Asia.

The failure of two expeditions daunted the enterprise of Hudson's employers; they could not daunt the courage of the great navigator, who was destined to become the rival of Smith and of Champlain. He longed

¹ Purchas, in N. Y. Hist. Coll. i. 61. Compare Lambrechtsten.

to tempt once more the dangers of the northern seas ; CHAP.
XV.
 and, repairing to Holland, he offered, in the service of
 the Dutch East India Company, to explore the icy
 wastes in search of the coveted passage. The voyage
 of Smith to Virginia stimulated desire ; the Zealanders,
 fearing the loss of treasure, objected ; but by the influ-
 ence of Balthazar Moucheron, the directors for Am-
 sterdam resolved on equipping a small vessel of dis-
 covery ; and on the fourth day of April, 1609, THE 1609.
April
4
 CRESCENT, commanded by Hudson, and manned by a
 mixed crew of Englishmen and Hollanders, his only son
 being of the number, set sail for the north-western
 passage.

Masses of ice impeded the navigation towards Nova
 Zembla ; Hudson, who had examined the maps of John
 Smith of Virginia, turned to the west ; and passing
 beyond Greenland and Newfoundland, and running
 down the coast of Acadia, he anchored, probably, in
 the mouth of the Penobscot. Then, following the
 track of Gosnold, he came upon the promontory of
 Cape Cod, and, believing himself its first discoverer,
 gave it the name of New Holland. Long after-
 wards it was claimed as the north-eastern boundary
 of New Netherlands. From the sands of Cape Cod,
 he steered a southerly course till he was opposite the
 entrance into the bay of Virginia, where Hudson remem-
 bered that his countrymen were planted. Then turn-
 ing again to the north, he discovered the Delaware
 Bay, examined its currents and its soundings, and,
 without going on shore, took note of the aspect of
 the country. Aug.
18.

On the third day of September, almost at the time
 when Champlain was invading New York from the
 north, less than five months after the truce with April
5.

CHAP. XV. Spain, which gave the Netherlands a diplomatic existence as a state, the Crescent anchored within Sandy Hook, and from the neighboring shores, that were crowned with "goodly oakes," attracted frequent visits from the natives. After a week's delay, Hudson sailed through the Narrows, and at the mouth of the river anchored in a harbor, which was pronounced to be very good for all winds. Of the surrounding lands, the luxuriant grass, the flowers, the trees, the grateful fragrance, were admired. Ten days were employed in exploring the river; the first of Europeans,¹ Hudson went sounding his way above the Highlands, till at last the Crescent had sailed some miles beyond the city of Hudson, and a boat had advanced a little beyond Albany. Frequent intercourse was held with the astonished natives of the Algonquin race; and the strangers were welcomed by a deputation from the Mohawks. Having completed his discovery, Hudson descended the stream to which time has given his name; and on the fourth day of October, about the season of the return of John Smith to England, he set sail for Europe, leaving once more to its solitude the land, that his imagination, anticipating the future, described as "the most beautiful" in the world.²

Sombre forests shed a melancholy grandeur over the useless magnificence of nature, and hid in their deep shades the rich soil which the sun had never warmed. No axe had levelled the giant progeny of the crowded groves, in which the fantastic forms of withered limbs, that had been blasted and riven by lightning, contrasted strangely with the verdant freshness of a younger

¹ Vander Donck, Beschryvinge van Nieuw-Nederland, p. 3. was het schoonste land, dat men met voeten betreden kon, &c. &c.

² Nieuw-Nederland (om Hudson's eigen woorden te gebruiken) In Lambrechtsten, Korte Beschryving, &c. p. 17.

growth of branches. The wanton grape-vine, seeming by its own power to have sprung from the earth, and to have fastened its leafy coils on the top of the tallest forest-tree, swung in the air with every breeze, like the loosened shrouds of a ship. Trees might every where be seen breaking from their root in the marshy soil, and threatening to fall with the first rude gust ; while the ground was strown with the ruins of former forests, over which a profusion of wild flowers wasted their freshness in mockery of the gloom. Reptiles sported in the stagnant pools, or crawled unharmed over piles of mouldering trees. The spotted deer couched among the thickets ; but not to hide, for there was no pursuer ; and there were none but wild animals to crop the uncut herbage of the productive prairies. Silence reigned, broken, it may have been, by the flight of land birds or the flapping of water-fowl, and rendered more dismal by the howl of beasts of prey. The streams, not yet limited to a channel, spread over sand-bars, tufted with copses of willow, or waded through wastes of reeds ; or slowly but surely undermined the groups of sycamores that grew by their side. The smaller brooks spread out into sedgy swamps, that were overhung by clouds of mosquitoes ; masses of decaying vegetation fed the exhalations with the seeds of pestilence, and made the balmy air of the summer's evening as deadly as it seemed grateful. Vegetable life and death were mingled hideously together. The horrors of corruption frowned on the fruitless fertility of uncultivated nature.

And man, the occupant of the soil, was wild as the savage scene, in harmony with the rude nature by which he was surrounded ; a vagrant over the continent, in constant warfare with his fellow-man ; the bark of the birch his canoe ; strings of shells his

CHAP.
XV.
1609.

CHAP. ornaments, his record, and his coin ; the roots of the
 XV.

1609. forest among his resources for food ; his knowledge in architecture surpassed both in strength and durability by the skill of the beaver ; bended saplings the beams of his house ; the branches and rind of trees its roof ; drifts of forest-leaves his couch ; mats of bulrushes his protection against the winter's cold ; his religion the adoration of nature ; his morals the promptings of undisciplined instinct ; disputing with the wolves and bears the lordship of the soil, and dividing with the squirrel the wild fruits with which the universal woodlands abounded.

The history of a country is always modified by its climate, and, in many of its features, is determined by its geographical situation. The region which Hudson had discovered, possessed on the seaboard a harbor unrivalled in its advantages ; having near its eastern boundary a river that admits the tide far into the interior ; extending to the chain of the great lakes, which have their springs in the heart of the continent ; containing within its limits the sources of large rivers that flow to the Gulf of Mexico and to the Bays of Chesapeake and of Delaware ; inviting to extensive internal intercourse by natural channels, of which, long before Hudson anchored off Sandy Hook, even the warriors of the Five Nations availed themselves in their excursions to Quebec, to the Ohio, or the Susquehannah ; with just sufficient difficulties to irritate, and not enough to dishearten ;—New York united most fertile lands with the highest adaptation to foreign and domestic commerce.

The manner in which civilized man can develop the resources of a wild country, is contained in its physical character ; and the results which have been

effected, are necessarily analogous to their causes. CHAP.
XV.
1837.
 And how changed is the scene from that on which Hudson gazed! The earth glows with the colors of civilization; the banks of the streams are enamelled with richest grasses; woodlands and cultivated fields are harmoniously blended; the birds of spring find their delight in orchards and trim gardens, variegated with choicest plants from every temperate zone; while the brilliant flowers of the tropics bloom from the windows of the green-house and the saloon. The yeoman, living like a good neighbor near the fields he cultivates, glories in the fruitfulness of the valleys, and counts with honest exultation the flocks and herds that browse in safety on the hills. The thorn has given way to the rosebush; the cultivated vine clammers over rocks where the brood of serpents used to nestle; while industry smiles at the changes she has wrought, and inhales the bland air which now has health on its wings.

And man is still in harmony with nature, which he has subdued, cultivated, and adorned. For him the rivers that flow to remotest climes, mingle their waters; for him the lakes gain new outlets to the ocean; for him the arch spans the flood, and science spreads iron pathways to the recent wilderness; for him the hills yield up the shining marble and the enduring granite; for him the forests of the interior come down in immense rafts; for him the marts of the city gather the produce of every clime, and libraries collect the works of genius of every language and every age. The passions of society are chastened into purity; manners are made benevolent by civilization; and the virtue of the country is the guardian of its peace. Science investigates the powers of every plant and mineral, to find medicines for disease; schools of surgery rival the estab-

CHAP. lishments of the old world. An active daily press, vigi-
 XV.
 ~~~~~  
 1837. lant from party interests, free even to dissoluteness,  
 watches the progress of society, and communicates every  
 fact that can interest humanity ; the genius of letters  
 begins to unfold his powers in the warm sunshine of  
 public favor. And while idle curiosity may take its  
 walk in shady avenues by the ocean side, commerce  
 pushes its wharves into the sea, blocks up the wide  
 rivers with its fleets, and, sending its ships, the pride  
 of naval architecture, to every clime, defies every wind,  
 outrides every tempest, and invades every zone.

A happy return voyage brought the Crescent into  
 1609. Dartmouth. Hudson forwarded to his Dutch employers  
 a brilliant account of his discoveries ; but he never re-  
 visited the lands which he eulogized ; and the Dutch  
 East India Company refused to search further for the  
 north-western passage.

Meantime ambition revived among the English mer-  
 1610. chants ; a company was formed, and Hudson again  
 April entered the northern seas in search of a path to the  
 17. Pacific. Passing Iceland, and Greenland, and Frobisher-  
 er's Straits, he sailed into the straits which bear his  
 own name, and where he had been preceded by none  
 Aug. but Sebastian Cabot. As he emerged from the passage  
 2. and came upon the wide gulf, he believed that his object  
 had been gained. How great was his disappointment  
 when he found himself embayed ! As he sailed to and  
 fro along the coast, it seemed a labyrinth without end ;  
 still confident of ultimate success, the inflexible mari-  
 ner resolved on wintering in the bay, that he might  
 perfect his discovery in the spring. Why should I dwell  
 on the sufferings of a winter for which no provision  
 had been made ? At length the late and anxiously-  
 expected spring burst forth ; but it opened in vain for

Hudson. Provisions were exhausted ; he divided the last bread among his men, and prepared for them a bill of return ; and “ he wept as he gave it them.” Believing himself almost on the point of succeeding, where Spaniards, and English, and Danes, and Dutch, had failed, he left his anchoring-place to steer for Europe. For two days, the ship was encompassed by fields of ice, and the discontent of the crew broke forth into mutiny. Hudson was seized, and, with his only son and seven others, four of whom were sick, was thrown into the shallop. Where has not humanity its servants ? Seeing his commander thus exposed, Philip Staffe, the carpenter, demanded and gained leave to share his fate ; and just as the ship made its way out of the ice, on the longest summer’s day, in a latitude where the sun hardly went down, and twilight ceased only with the dawn, the shallop was cut loose. What became of Hudson ? Did he die miserably of starvation ? Did he reach land to perish from the fury of the natives ? Was he crushed between ribs of ice ? The returning ship encountered storms, by which, it is probable, Hudson was overwhelmed. Alone, of the great mariners of that day, he lies buried in America ; the gloomy waste of waters which bears his name, is his tomb and his monument.<sup>1</sup>

As the country on the Hudson had been discovered by an agent of the Dutch East India Company, the right of possession was claimed for the United Provinces : and in the very year in which Hudson perished, merchants of Amsterdam<sup>2</sup> fitted out a ship with various merchandise to traffic with the natives. The voyage

CHAP.  
XV.

1610.

June  
18.June  
21.

1610.

1610

to

1614.

<sup>1</sup> Voyage, in Purchas, iii., and in N. Y. Hist. Coll. i. 146—150, and 150—188.

<sup>2</sup> Albany Records, xxiv. 167. The often repeated story of a sale of the country by Hudson, is absurd.

CHAP. was prosperous, and was renewed. When Argall, in  
<sup>XV.</sup> 1613, returning from his piratical excursion against  
 1613. the French settlement at Port Royal, entered the  
 waters of New York, he found three or four rude  
 hovels,<sup>1</sup> already erected on the Island of Manhattan, as  
 a summer shelter for the few Dutch mariners and fur-  
 traders, whom private enterprise had stationed there.  
 His larger force made him for the time the lord of the  
 harbor, and in Virginia he boasted of having subjected  
 the establishments of Holland to the authority of  
 England; but the Dutch, as he retired, continued their  
 profitable traffic, and even remained on Manhattan  
 during the winter.

Had these early navigators in the bays round New  
 York anticipated the future, they might have left careful  
 memorials of their voyages. The States General had  
 1614. assured to the enterprising a four years' monopoly of  
 Mar. trade with newly-discovered lands;<sup>2</sup> and a company of  
 27. merchants, forming a partnership, but not a corporation,  
 availed themselves of the privilege. Several ships, in  
 consequence, sailed for America; and from the imperfect  
 and conflicting statements, we may infer, that perhaps  
 in 1614, the first rude fort was erected, probably on the  
 southern point of Manhattan Island;<sup>3</sup> and the name of  
 an island east of the Sound still keeps the record, that  
 Adrian Blok sailed through the East River, discovered  
 Long Island to be an island, and examined the coast as

<sup>1</sup> Plantagenet's New Albion, printed 1648, is the authority. His statement is not exact. It speaks of the Amsterdam share of the W. I. Company. There was no company in 1613. Yet the main fact is uncontroverted. Compare Stith, 1:33; Smith's New Jersey, 26; Moulton's New York, 349.

<sup>2</sup> Groot Plakaatboek I. D. f. 563,

in Lambrechtsten, p. 19. De Laet, L. iii. c. ix.

<sup>3</sup> De Laet, L. iii. c. ix. says a fort was erected in 1614. This fort he confounds with another below Albany. Adrian Blok seems to have had his quarters, not at Albany, but at the mouth of the river. The records prove there was no fort at Albany till 1615.

far as Cape Cod.<sup>1</sup> The discovery of Connecticut River is undoubtedly due to the Dutch;<sup>2</sup> the name of its first European navigator is uncertain. That in the next year the settlement at Albany began, on an island just below the present city, is placed beyond a doubt by existing records.<sup>3</sup> It was the remote port of the Indian trader, and was never again abandoned. Yet at this early period, there was no colony; not a single family had emigrated; the only Europeans on the Hudson were commercial agents and their subordinates. The Pilgrims, in planning their settlements, evidently esteemed the country unappropriated; and to the English mariner, the Hollanders were known only as having a trade in Hudson's River.<sup>4</sup> As yet the United Provinces made no claim to the territory.

The cause of the tardy progress of colonization is to be sought in the parties which divided the States. The independence of Holland had brought with it no elective franchise for the people; the municipal officers were either named by the stadtholder, or were self-elected, on the principle of close corporations. The municipal officers elected delegates to the provincial states; and these again, a representative to the States General. The States, the true representative of a fixed commercial aristocracy, resisted the tendencies to popular innovations with a unanimity and decision never equalled, even in the struggle of the English parliament

<sup>1</sup> Compare De Laet, Moulton, Wood's Long Island, p. 7, and Belknap, who errs in calling Dermer the first to discover Long Island to be an island.

<sup>2</sup> Hubbard's N. England.

<sup>3</sup> It is common to date Albany from 1614. Erroneously. Com-

pare Records, iv. 25, and Records, xxiv. 167. "Fifteen years before the first mention of Rensselaerwyck." This agrees with De Laet, L. iii. c. vii., though it disagrees with De Laet, L. iii. c. ix. Comp. Wood's L. I. p. 7.

<sup>4</sup> Bradford, in Prince, 157.

CHAP. against reform; and the same instinct which led the  
 XV. Romans to elevate Julius Cæsar, the commons of  
 England to sustain Henry VII., the Danes to confer  
 hereditary power on the descendants of Frederic III.,  
 the French to substitute absolute for feudal monarchy,  
 induced the people of Holland to favor the ambition  
 of the stadtholder. This division of parties ex-  
 tended to every question of domestic politics, theology,  
 and international intercourse. The friends of the  
 stadtholder asserted sovereignty for the States General;  
 while the party of Olden Barneveld and Grotius, with  
 greater reason in point of historic facts, claimed sove-  
 reignty exclusively for the provincial assemblies. Prince  
 Maurice desired continued warfare with Spain, and  
 favored colonization in America; the aristocratic party,  
 fearing the increase of executive power, opposed colo-  
 nization because it might lead to new collisions. The  
 Gomarists, who satisfied the natural passion for equality  
 by denying personal merit, and ascribing every virtue  
 and capacity to the benevolence of God, leaned to  
 the crowd; while the Arminians, nourishing pride  
 by ascribing power and merit to man, commended  
 their creed to the party of aristocracy. Thus the  
 Calvinists, popular enthusiasm, and the stadtholder,  
 were arrayed against the provincial states and munic-  
 ipal authorities. The colonization of New York by the  
 Dutch depended on the issue of the struggle; and the  
 issue was not long doubtful. The excesses of political  
 ambition, disguised under the forms of religious contro-  
 1618. versy, led to violent counsels. Olden Barneveld and  
 Aug. 29. Grotius were taken into custody, and the selfish-  
 1619. ness of tyranny not only condemned the first political  
 May. writer of the age to imprisonment for life, but con-  
 ducted an old man of threescore years and twelve,

the most venerable of the patriots of Holland, to the scaffold. CHAP.  
XV.

These events hastened the colonization of Manhattan. That the River Hudson for a season bore the name of Prince Maurice, implies his favor to those who harbored there. A few weeks after the first acts of violence, the States General gave a limited act of incorporation to a company of merchants; yet the conditions of the charter were not inviting, and no organization took place.<sup>1</sup> But after the triumph over intestine commotions, while the Netherlands were displaying unparalleled energy in their foreign relations, the scheme of a West India company was revived. The Dutch planted colonies only under the auspices of chartered companies; the States would never undertake the defence of foreign possessions. 1618.  
Nov.

The Dutch West India Company,<sup>2</sup> which became the sovereign of the central portion of the United States, incorporated for twenty-four years, with a pledge of a renewal of its charter, were invested, on the part of the Netherlands, with the exclusive privilege to traffic and plant colonies on the coast of Africa from the Tropic of Cancer to the Cape of Good Hope; on the coast of America, from the Straits of Magellan to the remotest north. Subscription to the joint stock was open to men of every nation; the States General gave to the company half a million of guilders, as an encouragement, and were also stockholders to the amount of another half million. The franchises of the company were immense, that it might have power to act with independence; the States General did not 1621.  
June  
3.

<sup>1</sup> Wagenaar, x. 306, 307.

<sup>2</sup> Ibid. x. 429, &c. Charter, in *Dé Laet, Jaerlyck Verhaal, &c.* the company, the special work of  
Hazard, i. 121—131. Compare, on &c.



CHAP. guaranty its possessions, or any specific territory, and,  
 XV. in case of war, were to be known only as allies and  
 1621. patrons. The company might conquer provinces at  
 its own risk. England, in its patents, made the con-  
 version of the natives a prominent purpose; the Dutch  
 were chiefly intent "on promoting trade;" the English  
 charters gave protection to the political rights of the  
 colonists against the proprietaries; the Dutch, who had  
 no popular liberty at home, bestowed no thought on  
 colonial representation; the company, subject to the  
 approval of the States General, had absolute power  
 over its possessions. Branches of the company, five  
 in all, were established in the principal cities of Neth-  
 erlands; the charge of New Netherlands belonged to  
 the branch at Amsterdam. The government of the  
 whole was intrusted to a board of nineteen, of whom  
 eighteen represented the five branches, and one was  
 named by the States.

Thus did the little nation of merchants give away  
 continents; and the corporate company, invested with  
 a claim to more than a hemisphere, gradually culled from  
 its boundless grant the rich territories of Guinea, Bra-  
 zil, and New Netherlands.

Colonization on the Hudson was neither the motive  
 nor the main object of the establishment of the Dutch  
 West India Company; the territory of the New Neth-  
 erlands was not described either in the charter, or at  
 that time in any public act of the States General,  
 which neither made a formal specific grant, nor offered  
 to guaranty the tranquil possession of a single foot of  
 land. The company was to lay its own plans, and  
 provide for its own protection.<sup>1</sup>

<sup>1</sup> There is no sufficient evidence of a negotiation with James I. for a station in New York harbor. Com-  
 pare Thurloe, v. 81; Blome, Doug-  
 lass, and Ebeling, iii. 12.

Yet the period of the due organization<sup>1</sup> of the company was the epoch of zealous efforts at colonization. CHAP. XV. The name of the southern county and cape of New Jersey still attests the presence of Cornelius Mey, who not only visited Manhattan, but entering the bay, and ascending the River of Delaware, known as the South River<sup>2</sup> of the Dutch, took possession of the territory. 1623. On Timber Creek, a stream that enters the Delaware a few miles below Camden, he built Fort Nassau.<sup>3</sup> The country from the southern shore of Delaware Bay, to New Holland<sup>4</sup> or Cape Cod, became known as New Netherlands. This is the era of the permanent settlement of New York.<sup>5</sup> Round the new block-house on Manhattan, the cottages of New Amsterdam began to cluster; the country assumed the form of a colony, and Peter Minuits, the commercial agent of the West India Company, held for six years the office of governor.<sup>6</sup> 1624. In 1625, there was certainly one family on Long Island, and a child of European parentage was born.<sup>7</sup>

Reprisals on Spanish commerce were the great object of the West India Company; the North American colony was, for some years, little more than an

<sup>1</sup> Wagenaar, x. 431. De Laet, L. iii. c. xi. Wsselinx in Arg. Gust. 41. 43. Compare Moulton's New York, p. 363.

<sup>2</sup> Porey, in Purchas, vol. v. calls the Delaware by the Dutch name, the South River.

<sup>3</sup> The early authority is abundant. Albany Records, xviii. 467. "The South River occupied by the Dutch more than 36 years." This was written Sept. 20, 1659. Still further, De Vries' voyages. So too Beschrijving, &c. in S. Hazard's Register of Pennsylvania, i. 4. Compare also Rudman, in Clay's Annals of the Swedes, 15, 16; Lambrichtsten's Korte Beschrijving, &c.

26; Moulton, 367 and 407; Smith's N. Jersey, 20, 21; Gordon's N. Jersey, 8.

<sup>4</sup> Vander Donk, Beschrijvinghe van Nieuw Nederland, p. 4. Vander Donk had a limited access to the records. See Albany Records.

<sup>5</sup> Albany Records, xxiv. 167, 168.

<sup>6</sup> Moulton, 369—372. Compare B. F. Butler, in Transactions of the Albany Institute, p. 210.

<sup>7</sup> Wood's Long Island, 9. This unpretending little book of Wood is the result of much research. Compare also Moulton, 371; Albany Records, xi. 332.

CHAP. <sup>XV.</sup> inconsiderable establishment for trade, where Indians, even from the St. Lawrence, exchanged beaver-skins for European manufactures. The Spanish prizes, taken by the chartered privateers, on a single occasion in 1628, were almost eighty fold more valuable than the whole amount of exports from New Netherlands for the four preceding years.

1627. In 1627, there was a first interchange of courtesies with the Pilgrims. De Razier, the second in com-  
Oct. 4. mand among the Dutch, went as envoy to Plymouth. On the south of Cape Cod, he was met by a boat from the Old Colony, and "honorably attended with the noise of trumpets." A treaty of friendship and commerce was proposed. The Pilgrims, who had English hearts, questioned the title of the Dutch to the banks of the Hudson, and recommended a treaty with England; the Dutch, with greater kindness, advised their old friends to remove to the rich meadows on the Connecticut. Harmony prevailed. "Our children after us," said the Pilgrims, "shall never forget the good and courteous entreaty, which we found in your country; and shall desire your prosperity forever." Such was the benediction of Plymouth on New Amsterdam; at the same time, the Pilgrims, rivals for the beaver-trade, begged the Dutch not to send their skiffs into the Narragansett.<sup>1</sup>

These were the rude beginnings of New York. Its  
1620 first age was the age of hunters and Indian traders;  
1638. <sup>to</sup> of traffic in the skins of otters and beavers; when the native tribes were employed in the pursuit of game, and the yachts of the Dutch, in quest of furs, penetrated every bay, and bosom, and inlet, from Narragansett to

<sup>1</sup> Bradford, in *Mass. Hist. Coll.* Compare Baylies' Plymouth, and i. 51—57. Morton's Memorial. Moulton.

the Delaware. It was the day of straw roofs, and wooden chimneys, and windmills. The experiment in feudal institutions followed. CHAP.  
XV.

While the company of merchant warriors, conducting their maritime enterprises like princes, were conquering the rich fleets of Portugal and Spain, and, by their successes, pouring the wealth of America into the lap of the Netherlands, the States General<sup>1</sup> interposed to subject the government of foreign conquests to a council of nine; and the College of Nineteen adopted a charter<sup>2</sup> of privileges for patrons who desired to plant colonies in New Netherlands. 1629.

The document is curious, for it was analogous to the political institutions of the Dutch of that day. The colonies in America were to resemble the lordships in the Netherlands. To every one who would emigrate on his own account, as much land as he could cultivate was promised; but emigration was not expected to follow from the enterprise of the cultivators of the soil. The boors in Holland enjoyed as yet no political franchises, and were equally destitute of the mobility which is created by the consciousness of political importance. To subordinate proprietaries New Netherlands was to owe its tenants. He that within four years would plant a colony of fifty souls, became Lord of the Manor, or Patron, possessing in absolute property the lands he might colonize. Those lands might extend sixteen miles in length; or, if they lay upon both sides of a river, eight miles on each bank, stretching as far into the interior as the situation might require; yet it was stipulated that the soil must

<sup>1</sup> Lambrechtsten, Korte Besch.

<sup>2</sup> See the charter in Moulton, 389—398. It is to be regretted

that Moulton has not continued his elaborate work. It improved, as he advanced, in manner and criticism.

CHAP. be purchased of the Indians. Were cities to grow up,  
 XV. the institution of their government would rest with the  
 1629. patron, who was to exercise judicial power, yet subject  
 to appeals. The schoolmaster and the minister were  
 praised as desirable; but no provision was made for  
 their maintenance. The selfish spirit of monopoly  
 forbade the colonists to make any woollen, or linen,  
 or cotton fabric; not a web might be woven, not a  
 shuttle thrown, on penalty of exile. To impair the  
 monopoly of the Dutch manufacturers was punishable  
 as a perjury!<sup>1</sup> The company, moreover, pledged itself  
 to furnish the manors with negroes; yet not, it was  
 warily provided, unless the traffic should prove lucra-  
 tive. The Isle of Manhattan, as the chosen seat of  
 commerce, was reserved to the company.

This charter of liberties was fatal to the interests  
 of the corporation; its directors and agents immedi-  
 ately appropriated to themselves the most valuable  
 portions of the territory. Three years before the  
 1629. concession of a charter for Maryland, Godyn purchased  
 June 1. of the natives the soil from Cape Henlopen to the  
 mouth of Delaware River; this purchase of a territory  
 1630. more than thirty miles long, was now ratified by a deed,  
 July 15. and duly recorded. This is the first deed for land in Del-  
 aware, and comprises the soil of the two lower counties  
 of that state. The opposite shore in New Jersey was  
 May. also bought by Godyn and Bloemart, while Pauw be-  
 July. came the proprietor of Pavonia, the country round  
 Aug. Hoboken, and Staten Island. At the same time, five  
 Indian chiefs, in return for parcels of goods, conveyed  
 the land round Fort Orange, that is, from Albany to  
 the mouth of the Mohawk, to the agent of Van Ren-

<sup>1</sup> Charter, &c. Article xxix. in Moulton, p. 398.

selaer ; and a few years afterwards, the purchase was extended twelve miles farther to the south.<sup>1</sup>

CHAP.  
XV.

The company had designed, by its charter of liberties, to favor colonization, and yet retain the trade of the province ; under pretence of forming settlements, individuals had acquired a title to all the important points, where the natives came to traffic. Colonial jars were the consequence, and the feudal possessors were often in collision with the central government.<sup>2</sup>

1636.

The tract of land acquired by Godyn and his associates was immediately colonized. The first settlement in Delaware, older than any in Pennsylvania or New Jersey, was undertaken by Godyn, Van Renselaer, Blomaert, and the historian De Laet. De Vries, the historian of the voyage, was its conductor, and held an equal share in the enterprise, which was intended to cover the southern shore of Delaware Bay with fields of wheat and tobacco. Embarking from the Texel, in vessels laden with store of seeds, and cattle, and agricultural implements, he soon reached the bay, and on the soil of Delaware, near Lewistown, planted a colony of more than thirty souls. The voyage of De Vries was the cradling of a state. That Delaware exists as a separate commonwealth is due to the colony of De Vries. According to English rule, occupancy was necessary to complete a title to the wilderness. The Dutch now occupied Delaware ; and Harvey, the governor of Virginia, in a grant of commercial privileges to Clayborne, recognized " the adjoining plantations of the Dutch."<sup>3</sup> De Vries ascended the Delaware as far

Dec.  
12.

1631.

1632.  
Mar.

<sup>1</sup> See Dutch Book of Patents, 47, &c. &c. So too compare viii. ff. at Albany. Compare Moulton, 401, 402, 403 ; N. York Hist. Coll. iii. 323, 324.

<sup>2</sup> Albany Records, iv. 26, 32, 46,

13.  
<sup>3</sup> Chalmers, 207, 209. Compare Short Account, &c. published 1735.

CHAP. as the site of Philadelphia; Fort Nassau had been  
XV. abandoned; the colony in Delaware was as yet the  
 only European settlement within the bay.

After more than a year's residence in America, De  
 1632. Vries returned to Holland; but Osset, to whose care  
 he committed the colony, could not avoid contests with  
 the Indians. A chief lost his life; the relentless spirit  
 of revenge prepared an ambush, which ended in the  
 Dec. murder of every emigrant. At the close of the year,  
 De Vries, revisiting the New World, found the soil  
 which he had planted strown with the bones of his  
 countrymen.<sup>1</sup>

Thus Delaware was reconquered by the natives; and  
 before the Dutch could renew their claim, the patent  
 granted to Baltimore gave them an English competi-  
 tor. From the wrecks of his colony, De Vries sailed to  
 1633. Virginia, and as, in the following spring, he arrived at  
 April New Amsterdam, he found Walter van Twiller, the  
 16 second governor of the colony, already in the harbor.  
 1633 Quarrels had broken out among the agents, and be-  
 to tween the agents and their employers; the discontented  
 1638. Minuits had been displaced, and the colony had not  
 prospered. The historian of Long Island records no  
 1636. regular occupation of lands on that island till three years  
 after the arrival of Van Twiller. The rush of Puritan  
 emigrants to New England had quickened the move-  
 ments of the Dutch on the Connecticut, which they

<sup>1</sup> De Vries. The only copy which I have seen of the voyage of De Vries, in the original language, is to be found in vol. i. of the Du Simitiere MSS. in the Philadelphia library. Its title indicates, that it is an abridgment. I know not of the existence of a single printed copy. The book escaped the research of Ebeling, and was not dis-

covered by Lambrechtsten. For the use of an English MS. translation, and for other exceedingly valuable MSS., I am indebted to the great liberality of J. W. Moulton.

Compare also Beschrijving van Virginie, &c. 1651, of which I have MS. excerpts. See Hazard's Hist. Register, i. 4.

undoubtedly were the first to discover and to occupy. CHAP.  
XV.  
 The soil round Hartford was purchased of the natives, and a fort was erected<sup>1</sup> on land within the present 1633.  
Jan.  
8. limits of that city, some months before the pilgrims of Plymouth colony raised their block-house at Windsor, and more than two years before the people of Hooker and Haynes began the commonwealth of Connecticut. 1635.  
 To whom did the country belong? Like the banks of the Hudson, it had been first explored, and even occupied, by the Dutch; but should a log-hut and a few straggling soldiers seal a territory against other emigrants? The English planters were on a soil over which England had ever claimed the sovereignty, and of which the English monarch had made a grant; they were there with their wives and children, and they were there forever. It were a sin, said they, to leave so fertile a land unimproved.<sup>2</sup> Their religious enthusiasm, zeal for popular liberty, and numbers, did not leave the issue uncertain. Altercations continued for years; but they had no dignity, for they were followed by no result. The Dutch fort long remained in the hands of the Dutch West India Company; but it was surrounded by English towns. At last, the swarms of the English in Connecticut grew so numerous, as not only to overwhelm the feeble settlement at Hartford, but, under a grant from Lord Stirling, to invade the less doubtful territories of New Netherlands.<sup>3</sup> In the second year of the government of William Kieft, 1640. the arms of the Dutch on the east end of Long Island were thrown down in derision, and a fool's head set in their place.<sup>4</sup>

<sup>1</sup> Albany Records, ii. 157.

<sup>2</sup> De Vries's Voyages.

<sup>3</sup> Winthrop, i. 112, 113. Stuyvesant, in Hazard, ii. 262. Bradford, in Hutchinson's Mass. 416, 417.

Trumbull, i. 21. Bradford, in Prince. Compare the argument of G. C. Verplanck, in N. A. Review, viii. 78, &c.

<sup>4</sup> Records, ii. 83, &c.



CHAP.  
XV.

While the New England men were thus encroaching on the Dutch on the east, a new competitor for possessions in America appeared in Delaware Bay.

Gustavus Adolphus, the greatest benefactor of humanity in the line of Swedish kings, had discerned the advantages which might be expected from colonies and widely-extended commerce. His zeal was encouraged  
 1624. by William Wsselinx, a Netherlander, whose mind for many years had been steadily devoted to the subject ; at his instance, a commercial company, with exclusive  
 1626. privileges to traffic beyond the Straits of Gibraltar, and  
 June the right of planting colonies, was sanctioned by the  
 14. king; and incorporated by the states of Sweden. The  
 1627. stock was open to all Europe for subscription ; the king  
 May 1. himself pledged 400,000 dollars of the royal treasure on equal risks ; the chief place of business was established at Gottenburg ; a branch was promised to any city which would embark 300,000 dollars in the undertaking. The government of the future colonies was reserved to a royal council ; for "politics," says the charter—and the expression marks the nation and the times—"politics lie beyond the profession of merchants."<sup>1</sup> Men of every rank were solicited to engage in the enterprise ; it was resolved to invite "colonists from all the nations of Europe."<sup>2</sup> Other nations employed slaves in their colonies ; and "slaves," said they, "cost a great deal, labor with reluctance, and soon perish from hard usage ; the Swedish nation is laborious and intelligent, and surely we shall gain more by a free people with wives and children."<sup>3</sup> To the Scandinavian imagination, hope painted the New World

<sup>1</sup> *Argonautica Gustaviana* contain the Documents.

<sup>2</sup> *Ibid.* 3.

<sup>3</sup> *Ibid.* 3, and compare 22.

as a paradise ;<sup>1</sup> the proposed colony as a benefit to the persecuted, a security "to the honor of the wives and daughters" of those whom wars and bigotry had made fugitives;<sup>2</sup> a blessing to the "common man;" to the "whole Protestant world."<sup>3</sup> It may prove the advantage, said Gustavus, of "all oppressed Christendom."<sup>4</sup> 1629.

CHAP.  
XV.

But Protestant Christendom seemed in danger, not of oppression, but of ruin. The insurrection against intellectual servitude, of which the reformation was the great expression, appeared in danger of being suppressed, when Gustavus Adolphus resolved to invade Germany and vindicate the rights of conscience with his sword. Even the cherished purpose of colonization yielded in the emergency; and the funds of the company were arbitrarily applied as resources in the war. It was a war of revolution; a struggle to secure German liberty by establishing religious toleration; yet even the great events on which the destinies of Germany were suspended, could not wholly drive from the mind of Gustavus his designs in America. They did but enlarge his views; and at Nuremberg, but a few days before the battle of Lützen, where humanity won one of her most glorious victories, and lost one of her ablest defenders, the enterprise, which still appeared to him as "the jewel of his kingdom,"<sup>5</sup> was recommended to the people of Germany. 1630. May 29.

In confirming the invitation to Germany, Oxenstiern declares himself to be but the executor of the wish of Gustavus. The same wise statesman, one of the great 1632. Oct. 16. 1633. April 10.

<sup>1</sup> *Argonautica Gustaviana*, 11.

<sup>2</sup> *Ibid.* 16.

<sup>3</sup> *Ibid.*

<sup>4</sup> "Totius oppressæ Christianitatis." *Mercurius Germanicus*, 38.

<sup>5</sup> Oxenstiern, in *Argonautica Gustaviana*. Compare *Erinnerung*, in *Mercurius Germanicus*, 1. These very rare tracts are in our Cambridge library.

CHAP. men of all time, the serene chancellor, who in the  
 XV. busiest scenes never took a care with him to his couch,  
 1633. renewed the patent of the company, and extended its  
 June benefits to Germany; the charter was soon confirmed  
 26. by the deputies of the four upper circles at Frankfort.<sup>1</sup>  
 “The consequences” of this design, said Oxenstiern,  
 “will be favorable to all Christendom, to Europe, to the  
 whole world.” And were they not so? The first  
 permanent colonization of the banks of the Delaware  
 is due to Oxenstiern.

Yet more than four years passed away before the  
 1638. design was carried into effect. We have seen Minu-  
 its, the first governor of New Amsterdam, forfeit his  
 place amidst the strifes of faction. He now offered the  
 benefit of his experience to the Swedes; and leaving  
 Sweden, probably near the close of the year 1637, he  
 sailed for the Bay of Delaware. Two vessels, the Key  
 of Calmar, and the Griffin, formed his whole fleet; the  
 care of the Swedish government provided the emigrants  
 with a religious teacher, with provisions, and merchan-  
 dise for traffic with the natives. Early in the year  
 1638,<sup>2</sup> the little company of Swedes and Fins arrived  
 in the Delaware Bay; the lands from the southern cape,  
 which the emigrants from hyperborean regions named  
 Paradise Point, to the falls in the river near Trenton,

<sup>1</sup> A copy of the act is before me, dated December 12, 1634, printed at Hamburg, 1635.

<sup>2</sup> There has been much confusion in the statements of the time when the first Swedish settlement was made; Campanius says about 1631, and Duponceau, p. 68, repeats the error. So Smith, in his *New Jersey*, 22, Proud, i. 115, and Holmes. Rûhs, and many others, make a similar mistake. In the *Albany Records*, xvii. 322, the journal of the Dutch commissary, A. Hudde, set-

tles the question; more than 14 years after the building of Fort Nassau, that is, early in 1638. This too is the statement of the careful Acrelius, an author worthy of confidence. Campanius, on the contrary, was ignorant and careless. His book, full of errors, contains valuable materials, which he knew not how to use. The voyage to America used then to be made by the southern passage. Compare Campanius, 70—72. The ships must have left Sweden late in 1637.

were purchased of the natives; and near the mouth of Christiana Creek, within the limits of the present state of Delaware, Christiana Fort, so called from the little girl who was then queen of Sweden, was erected. Delaware was colonized.

CHAP.  
XV.

The colony was not unmolested. Should the Dutch suffer their province to be dismembered? The records at Albany<sup>1</sup> still preserve the protest, in which Kieft, the third governor of New Netherlands, claimed for the Dutch the country on the Delaware: their possession had long been guarded by forts, and had been sealed by the blood of their countrymen. But at that time, the fame of Swedish arms protected the Swedish flag in the New World; and while Banner and Torsenson were humbling Austria and Denmark, the Dutch did not venture beyond a protest.

Meantime tidings of the loveliness of the country had been borne to Scandinavia, and the peasantry of Sweden and of Finland longed to exchange their lands in Europe for a settlement on the Delaware. Emigration increased; at the last considerable expedition, there were more than a hundred families<sup>2</sup> eager to embark for the land of promise, and unable to obtain a passage in the crowded vessels. The plantations of the Swedes were gradually extended; and to preserve the ascendancy over the Dutch, who renewed their fort at Nassau, Printz, the governor, established his residence 1643. in Tinicum, a few miles below Philadelphia. A fort, constructed of vast hemlock logs, defended the island;<sup>3</sup> and houses began to cluster in its neighborhood. Pennsylvania was, at last, occupied by Europeans; that commonwealth, like Delaware, traces its lineage

<sup>1</sup> Albany Records, ii. 7, 8.

<sup>2</sup> Lindstrom, in Campanius, 74.

<sup>3</sup> Hudde, in Albany Records, xvii. 323. Campanius, 79.

- CHAP. to the Swedes, who had planted a suburb of Philadel-  
 XV. phia before William Penn became its proprietary. The  
 banks of the Delaware from the ocean to the falls were  
 known as New Sweden. The few English families  
 1640. within its limits, emigrants from New England,<sup>1</sup> allured  
 by the beauty of the climate and the opportunity of  
 Indian traffic, were either driven from the soil, or sub-  
 mitted to Swedish jurisdiction.<sup>2</sup>

- While the limits of New Netherlands were narrowed  
 by competitors on the east and on the south, and Long  
 Island was soon to be claimed by the agent of Lord  
 Stirling,<sup>3</sup> the colony was almost annihilated by the  
 vengeance of the neighboring Algonquin tribes. Angry  
 and even bloody quarrels had sometimes arisen between  
 dishonest traders and savages maddened by intoxica-  
 1640. tion. The blameless settlement on Staten Island had,  
 in consequence, been ruined by the blind vengeance of  
 the tribes of New Jersey. The strife continued. A  
 boy who had been present when, years before, his  
 uncle had been robbed and murdered, had vowed  
 revenge, and, now that he was grown to man's estate,  
 1641. remembered and executed the vow of his childhood.  
 A roving but fruitless expedition into the country south  
 of the Hudson, was the consequence. The Raritans  
 were outlawed, and a bounty of ten fathoms of wam-  
 pum was offered for every member of the tribe. The  
 season of danger brought with it the necessity of con-  
 sulting the people; and the commons elected a body of  
 twelve to assist the governor. De Vries, the head of  
 the committee of the people, urged the advantage of

<sup>1</sup> Hazard, ii. 213.

<sup>2</sup> Compare, on the whole subject, Trumbull's Connecticut, i. 178; Hazard's Register of Pennsylvania, i. 17, &c.; Clay's Annals of the

Swedes on the Delaware, 22; Hazard, ii. 127, 171, 181, 192, 213, 319, &c.; Winthrop, ii. 62, 76, 178.

<sup>3</sup> Albany Records, iv. 4.

friendship with the natives. But the traders did not learn humanity, nor the savage forget revenge; and the son of a chief, stung by the conviction of having been defrauded and robbed, aimed an unerring arrow at the first Hollander exposed to his fury. A deputation of the river chieftains hastened to express their sorrow, and deplore the alternate, never-ending libations of blood. The murderer they could not deliver up; but after the custom of the Saxons in the days of Alfred, or the Irish under Elizabeth, in exact correspondence with the usages of earliest Greece,<sup>1</sup> they offered to purchase security for the murderer by a fine for blood. Two hundred fathom of the best wampum might console the grief of the widow. "You yourselves," they added, "are the cause of this evil; you ought not craze the young Indians with brandy. Your own people, when drunk, fight with knives, and do foolish things; and you cannot prevent mischief, till you cease to sell strong drink to the Indian."

CHAP.  
XV.

1642.

Kieft was inexorable, and demanded the murderer. Just then, a small party of Mohawks from the neighborhood of Fort Orange, armed with muskets, descended from their fastnesses, and claimed the natives round Manhattan as tributaries. At the approach of the formidable warriors of a braver Huron race, the more numerous but cowering Algonquins crowded together in despair, begging assistance of the Dutch. Kieft seized the moment for an exterminating massacre. In vain was it foretold that the ruin would light upon the Dutch themselves. In the stillness of a dark winter's night, the soldiers at the fort, joined by freebooters

1643.  
Feb.Feb.  
25, 26.<sup>1</sup> Iliad ix. 632:——καὶ μὲν τίς τε πασιγνήτοιο φονῆος  
Ποινὴν ἢ οὐ παιδὸς ἰδέξατο τεθνηῶτος.

CHAP.  
XV.

1643.

from Dutch privateers, and led by a guide who knew every by-path and nook where the savages nestled, crossed the Hudson, for the purpose of destruction. The naked and unsuspecting tribes could offer little resistance; the noise of musketry mingled with the yell of the victims. Nearly a hundred perished in the carnage. Day-break did not end its horrors; men might be seen, mangled and helpless, suffering from cold and hunger; children were tossed into the stream, and as their parents plunged to their rescue, the soldiers prevented their landing, that both child and parent might drown.

The massacre was held in detestation by the colonists, who afterwards decided to imitate the precedent of Virginia, by deposing **their** governor and sending him back to Holland. For the moment, he exulted in his deed of treachery, and greeted the returning troops with exultation. But his joy was short. No sooner was it known that the midnight attack had been made not by the Mohawks, but by the Dutch, than every Algonquin tribe round Manhattan burned with the frenzy of revenge. The swamps were their hiding-places, from which sudden onsets were made in every direction; villages were laid waste; the farmer murdered in the field; his children swept into captivity. From the shores of New Jersey to the borders of Connecticut, not a bowery was safe. It was on this occasion, that Anne Hutchinson,<sup>1</sup> one of the most extraordinary women of her age, worthy to be named with Roger Williams and George Fox, perished with her family. The Dutch colony was threatened with

<sup>1</sup> Winthrop, ii. 136. Gorton, 50. the Indians did burn her to death Hubbard, 345. Welde's Rise, with fire." Reign, and Ruin, "Some write

ruin—was already overwhelmed with misery. “ Mine <sup>CHAP. XV.</sup> eyes,” says an eyewitness, “ saw the flames at their towns, and the frights and hurries of men, women and <sup>March 5.</sup> 1643. children, the present removal of all that could for Holland.” The assassins were compelled to desire peace.

A convention of sixteen sachems of Long Island assembled in the woods of Rockaway,<sup>1</sup> and at day-break the envoys from Manhattan were conducted from the wigwams of Pennawits, their great chief, to the centre of the little senate. A chief rose, holding in one hand a bundle of small sticks. “ When you first arrived on our shores, you were destitute of food ; we gave you our beans and our corn ; we fed you with oysters and fish ; and now, for our recompense, you murder our people.” Such were the opening words of the orator ; having put down one little stick, he proceeded. “ The traders whom your first ships left on our shore to traffic till their return, were cherished by us as the apple of our eye : we gave them our daughters for their wives ; among those whom you have murdered were children of your own blood.” He laid down another stick ; and many more remained in his hand. The issue had been uncertain but for the presence of Roger Williams at Manhattan, on his way to England. His mediation<sup>2</sup> gave a truce to Long Island. <sup>March 25.</sup> A month later, peace was covenanted with the River Indians.<sup>3</sup>

But harmony and confidence were not restored. The young men among the Indians would not be pacified ; one had lost a father or a mother ; a second owed revenge to the memory of a friend. No sufficient

<sup>1</sup> Rechquaakie. Rockaway ? It was seven Dutch miles from N. Y.

<sup>2</sup> Winthrop, ii. 97.

<sup>3</sup> Albany Records, ii. 214, 215.



CHAP. ransom had stifled revenge and calmed the pride of  
 XV. honor. "The presents we have received," said an  
 1643. older chief, in despondency, "bear no proportion to our  
 July loss; the price of blood has not been paid;"<sup>1</sup> and war  
 20. was renewed.  
 Sept.  
 15.

The commander of the Dutch troops was John Underhill, a fugitive from New England, a veteran in Indian warfare, and one of the bravest men of his day. Having the licentiousness not less than the courage of the soldiers of that age, he had been compelled, at  
 1640. Boston, in a great assembly, on lecture-day, during the session of the General Court, dressed in the ruthless habit of a penitent, to stand upon a platform, and with sighs and tears, and brokenness of heart, and the aspect of sorrow, to beseech the compassion of the congregation.<sup>2</sup> In the following year, he removed to New  
 1641. Netherlands, and now, with a little army of one hundred and twenty men, became the protector of the Dutch settlements. The war continued for two years. At length, the Dutch were weary of danger; the Indians tired of being hunted like beasts. The Mohawks claimed a sovereignty over the Algonquins; their ambassador appeared at Manhattan to negotiate a peace; and in front of Fort Amsterdam, according to Indian  
 Aug. usage, under the open sky, on the spot now so beautiful, where the commerce of the world may be watched from shady walks, in the presence of the sun and of the ocean, the sachems of New Jersey, of the River Indians, of the Mohicans, and from Long Island, acknowledging the chiefs of the Five Nations as witnesses and arbitrators, and having around them the director and council of New Netherlands, with the whole com-

<sup>1</sup> It is curious to compare Il. ix. 634, πῶλλ' ἀνορίας.

<sup>2</sup> Hubbard's History of New England, 359, 360.

monalty of the Dutch, set their marks to a solemn treaty of peace.<sup>1</sup> The joy of the colony broke forth into a general thanksgiving; but infamy attached to the name of Kieft, the author of the carnage; the emigrants desired to reject him as their governor; the West India Company disclaimed his barbarous policy. About two years after the peace, he embarked for Europe in a large and richly-laden vessel; but the man of blood was not destined to revisit the shores of Holland. The ship in which he sailed, unable to breast the fury of elements as merciless as his own passions, was dashed in pieces on the coast of Wales, and the guilty Kieft was overwhelmed by the waves.<sup>2</sup>

CHAP.  
XV.1645.  
Sept.  
6.1647,  
1648.

1648.

A better day dawned on New Netherlands, when the brave and honest Stuyvesant, recently the vice-director of Curaçao, wounded in the West Indies, in the attack on St. Martin, a soldier of experience, a scholar of some learning, was promoted for his services, and entered on the government of the province. Sad experience dictated a milder system towards the natives; and it was resolved to govern them with lenity. The interests of New Netherlands required free trade; at first, the department of Amsterdam would not listen to the prayer; it had alone borne the expense of the colony, and would tolerate no interlopers. But nature is stronger than privileged companies; the monopoly could not be

1646.  
1647.  
May  
11.

1648.

<sup>1</sup> The contemporary authorities are abundant. I. The Albany Records, vol. ii. contain Kieft's statement. Compare other places, as x. 139, xxiv. 55. II. The views of the Indians are given in De Vries. Compare too R. Williams in Knowles, 275. III. The N. England statements, in Winthrop, ii. 96, 97, 136. Gorton, 59. Hubbard, 441, and 365. The traditionary account of the battle on Strickland Plain, preserved by Trumbull, i. 161, and repeated, but not confirmed, by Wood, p. 74, cannot be quite accurate; at least as to time. Memory is an easy dupe, and tradition a careless storyteller. An account, to be of highest value, must be written immediately at the time of the event. The eyewitness, the earwitness often persuades memory into a belief of inventions. Examples of this will occur.

<sup>2</sup> Hubbard, 444.

CHAP. enforced ; and export duties were substituted.<sup>1</sup> Man-  
 XV. hattan began to prosper, when its merchants obtained  
 1648. freedom to follow the impulses of their own enterprise.  
 The glorious destiny of the city was anticipated.  
 "When your commerce becomes established, and your  
 ships ride on every part of the ocean, throngs that look  
 towards you with eager eyes will be allured to embark  
 for your island." This prophecy was, nearly two cen-  
 turies ago, addressed by the merchants of Amsterdam  
 to the merchants of Manhattan.<sup>2</sup> At that time, Am-  
 sterdam was esteemed the first commercial city, not of  
 Europe only, but of the world : who could have fore-  
 seen, that the population and wealth of that famed  
 emporium, would one day be so far excelled by the  
 maturity of the little settlement that had barely saved  
 its life from the vengeance of the savages ? The Island  
 of New York was then chiefly divided among farmers ;  
 1649. the large forests which covered the Park and the adja-  
 cent region, long remained a common pasture, where,  
 for yet a quarter of a century, tanners could obtain bark,  
 and boys chestnuts ;<sup>3</sup> and the soil was so little valued,  
 that Stuyvesant thought it no wrong to his employers<sup>4</sup>  
 to purchase of them at a small price an extensive  
 bowery just beyond the coppices, among which browsed  
 the goats and kine from the village.

With so feeble a population, it was impossible to  
 protect the eastern boundary of New Netherlands. Of  
 what avail were protests against actual settlers ? Stuy-  
 vesant was instructed to preserve the house of Good  
 1647. Hope at Hartford ; but while he was claiming the  
 1649, country from Cape Cod to Cape Henlopen, there was  
 1650.

<sup>1</sup> Albany Records, iv. 1, 3, 9, 13.  
 This volume contains the corre-  
 spondence of Stuyvesant and the  
 West India Company.

<sup>2</sup> Ibid. vii. 226.

<sup>3</sup> Lovelace, in J. W. Moulton's  
 New Orange, 33.

<sup>4</sup> Albany Records, iv. 24.

danger that the New England men would stretch their settlements to the North River, intercept the navigation from Fort Orange, and monopolize the fur-trade.<sup>1</sup> The commercial corporation would not risk a war; the expense would impair its dividends. "War," they declared, "cannot in any event be for our advantage; the New England people are too powerful for us." No issue was left but by negotiation; Stuyvesant himself repaired as ambassador to Hartford, and was glad to conclude a provisional treaty, which allowed New Netherlands to extend on Long Island as far as Oyster Bay, on the main to the neighborhood of Greenwich. This intercolonial treaty was acceptable to the West India Company, but was never ratified in England; its conditional approbation by the States General is the only Dutch state-paper in which the government of the republic recognized the boundaries of the province on the Hudson. The West India Company could never obtain a national guaranty for the integrity of their possessions.<sup>2</sup>

CHAP.  
XV.

1650.  
Sept.  
11.

The war between the rival republics in Europe did not extend to America; we have seen the prudence of Massachusetts restrain the colonies; in England, Roger Williams<sup>3</sup> delayed an armament against New Netherlands. It is true, that the West India Company, dreading an attack from New England, had instructed their governor "to engage the Indians in his cause."<sup>4</sup> But the friendship of the Narragansetts for the Puritans could not be shaken. "I am poor," said Mixam, one

1651  
to  
1654.

1652.  
Aug.  
15.

<sup>1</sup> Albany Records, vii. 3; iv. 32. compare Albany Records, iv. 120;  
<sup>2</sup> Treaty, in Trumbull, i. 192. vii. 147—150: Trumbull, i. 202:  
Hutchinson, i. 447. Hazard, ii. 218. Second Amboyna Tragedy, Hazard,  
Compare Albany Records, iv. 14. ii. 257: Documents, in Hazard, ii.  
15, 18, 28, 32, 35, &c. &c. 73, 207. 204—272: Verplanck, in N. A.  
<sup>3</sup> Williams, in Knowles, 263. Review, viii. 95—105: Irving, in  
<sup>4</sup> Albany Records, iv. 84. But Knickerbocker, ii. 48.

CHAP. of their sachems, "but no presents of goods, or of guns,  
 XV. or of powder and shot, shall draw me into a conspiracy  
 against my friends the English." The naval successes  
 1653. of the Dutch inspired milder counsels; and the news  
 of peace in Europe soon quieted every apprehension.

The provisional compact left Connecticut in possession of a moiety of Long Island; the whole had often, but ineffectually, been claimed by Lord Stirling.  
 1634. The favor of Strafford had also obtained for Sir Edward  
 June Ployden a gift of New Albion, or Long Island with the  
 21. country on the Delaware. The lord palatine attempted a settlement; but the want of a pilot compelled  
 1641 him to enter the Chesapeake; and his people were  
 to absorbed in the happy province of Virginia. He was  
 1648. never able to dispossess the Swedes.<sup>1</sup>

With the Swedes, therefore, powerful competitors for the tobacco of Virginia and the beaver of the Schuylkill, the Dutch were to contend for the banks of the Delaware. In the vicinity of the river, the Swedish company was more powerful than its rival; but the whole province of New Netherlands was ten-fold more populous than New Sweden. From motives  
 1651. of commercial security, the Dutch built Fort Casimir, on the site of Newcastle, within five miles of Christiana, near the mouth of the Brandywine. To the Swedes this seemed an encroachment; jealousies ensued; and at last, aided by stratagem and immediate superiority in numbers, Rising, the Swedish governor, overpowered the garrison. The aggression was fatal to the only colony which Sweden had planted. The  
 1654, metropolis was exhausted by a long succession of wars;  
 1655.

<sup>1</sup> B. Plantagenet's Description of New Albion, 1648, in the library of the Library Company, Philadelphia. Hazard, i. 160, &c. Winthrop, ii. 325.

the statesmen and soldiers whom Gustavus had educated, had passed from the public service; Oxenstiern, after adorning retirement by the sublime pursuits of philosophy, was no more; a youthful and licentious queen, greedy of literary distinction, and without capacity for government, had impaired the strength of the kingdom by nursing contending factions, and then capriciously abdicating the throne. Sweden had ceased to awaken fear or inspire respect; and the Dutch company fearlessly commanded Stuyvesant to "revenge their wrong, to drive the Swedes from the river, or compel their submission." The order was renewed; and in September, 1655, the Dutch governor, collecting a force of more than six hundred men, sailed into the Delaware with the purpose of conquest. Resistance had been unavailing. One fort after another surrendered: to Rising honorable terms were conceded; the colonists were promised the quiet possession of their estates; and, in defiance of protests and the turbulence of the Scandinavians, the jurisdiction of the Dutch was established. Such was the end of NEW SWEDEN,<sup>1</sup> the colony that connects our country with Gustavus Adolphus and the nations that dwell on the Gulf of Bothnia. It maintained its distinct existence for a little more than seventeen years, and succeeded in establishing permanent plantations on the Delaware. The descendants of the colonists, in the course of generations, widely scattered and blended with emigrants of other lineage, constitute probably more than one part in two hundred of the present population of our country. At

CHAP.  
XV.1654.  
Nov.  
16.Sept  
25.

<sup>1</sup> Albany Records, xiii. 349—358, 357, 2, 7; iv. 157, 166, 186, 204, &c. 222. Acrelius, an accurate historian, Campanius, a heedless one. Of late writers, Clay's Swe-

dish Annals. Compare Swedish Records, translated and printed in vols. iv. and v. of Hazard's Hist. Register.

**CHAP.** the surrender, they did not much exceed seven hundred  
**XV.** souls. Free from ambition, ignorant of the ideas which  
 were convulsing the English mind, it was only as Prot-  
 estants that they shared the impulse of the age. They  
 cherished the calm earnestness of religious feeling;  
 they revered the bonds of family and the purity of  
 morals; their children, under every disadvantage of  
 want of teachers and of Swedish books, were well  
 instructed. With the natives they preserved peace.  
 A love for Sweden, their dear mother country, the  
 abiding sentiment of loyalty towards its sovereign,  
 continued to distinguish the little band; at Stockholm,  
 they remained for a century the objects of a disinter-  
 ested and generous regard; affection united them in  
 the New World; and a part of their descendants still  
 preserve their altar and their dwellings round the graves  
 of their fathers.<sup>1</sup>

**1656.** The conquest of the Swedish settlements was fol-  
 lowed by relations bearing a near analogy to the  
 provincial system of Rome. The West India Company  
 desired an ally on its southern frontier; the country  
 above Christiana was governed by Stuyvesant's deputy;

**Dec.** while the city of Amsterdam became, by purchase, the  
 proprietary of Delaware, from the Brandywine to Bom-  
 bay Hook; and afterwards, under cessions from the na-

**1658,** tives, extended its jurisdiction to Cape Henlopen. But

**1659.** did a city ever govern a province with forbearance? The

**1656,** noble and right honorable lords, the burgomasters of

**1657.** Amsterdam, instituted a paralyzing commercial monop-  
 oly, and required of the colonists an oath of absolute  
 obedience to all their past or future commands. But  
 Maryland was free; Virginia governed itself. The

<sup>1</sup> Kalm's Travels. W. Penn's Letter. Clay's Swedish Annals.

restless colonists, almost as they landed, and even the soldiers of the garrison, fled in troops from the dominion of Amsterdam to the liberties of English colonies. The province of the city was almost deserted; the attempt to elope was punishable by death, and scarce thirty families remained.<sup>1</sup>

CHAP.  
XV.  
~

During the absence of Stuyvesant from Manhattan, the warriors of the neighboring Algonquin tribes, never reposing confidence in the Dutch, made a desperate assault on the colony. In sixty-four canoes, they appeared before the town, and ravaged the adjacent country. The return of the expedition restored confidence. The captives were ransomed, and industry repaired its losses. The Dutch seemed to have firmly established their power, and promised themselves happier years. New Netherlands consoled them for the loss of Brazil.<sup>2</sup> They exulted in the possession of an admirable territory, that needed no embankments against the ocean. They were proud of its vast extent, from New England to Maryland, from the sea to the great river of Canada, and the remote north-western wilderness. They sounded with exultation the channel of the deep stream, which was no longer shared with the Swedes; they counted with delight its many lovely runs of water, on which the beaver built their villages; and the great travellers who had visited every continent, as they ascended the Delaware, declared it one of the noblest rivers in the world. Its banks were more inviting than the lands on the Amazon.

1655.  
Sept

Meantime the country near the Hudson gained by

<sup>1</sup> Albany Records, iv. 217, 222, 223, 237, 273, 311; xviii. 43, 29, 400. Gordon's Pennsylvania, 23. Compare Albany Records, x. 397—468.

<sup>2</sup> Vander Donk, p. 8, &c. 5, &c. "Wat treurt men om Brazijl, vol snoode Portugeezen; Terwijl ons Vander Donk vertoont dit Nieuwe Land!"



CHAP. XV. increasing emigration. Manhattan was already the chosen abode of merchants ; and the policy of the government invited them by its good will. If Stuyvesant sometimes displayed the rash despotism of a soldier, he was sure to be reproved by his employers. Did he change the rate of duties arbitrarily ? The directors, sensitive to commercial honor, charged him "to keep every contract inviolate." Did he tamper with the currency by raising the nominal value of foreign coin ? The measure was rebuked as dishonest. Did he attempt to fix the price of labor by arbitrary rules ? This also was condemned as unwise and impracticable. Did he interfere with the merchants by inspecting their accounts ? The deed was censured as without precedent "in Christendom ;" and he was ordered to "treat the merchants with kindness, lest they return, and the country be depopulated." Did his zeal for Calvinism lead him to persecute Lutherans ? He was chid for his bigotry.<sup>1</sup> Did his hatred of "the abominable sect of Quakers" imprison and afterwards exile the blameless Bowne ? "Let every peaceful citizen," wrote the directors, "enjoy freedom of conscience ; this maxim has made our city the asylum for fugitives from every land ; tread in its steps, and you shall be blessed."<sup>2</sup>

Private worship was, therefore, allowed to every religion. Opinion, if not yet enfranchised, was already tolerated. The people of Palestine, from the destruction of their temple, an outcast and a wandering race, were allured by the traffic and the candor of the New World ; and not the Saxon and Celtic races only, the

<sup>1</sup> Albany Records, iv. 19, 25, 84, 128, 212. pare, on Quaker persecutions, xix. 1, 2, 3, 11, 12, 18—24 ; xx. 213.

<sup>2</sup> Ibid. xviii. 221 ; iv. 427. Com- 214, 231—233, 291.

children of the bondmen that broke from slavery in Egypt, the posterity of those who had wandered in Arabia, and worshipped near Calvary, found a home, liberty, and a burial-place on the Island of Manhattan.<sup>1</sup>

CHAP.  
XV.

The emigrants from Holland were themselves of the most various lineage ; for Holland had long been the gathering-place of the unfortunate. Could we trace the descent of the emigrants from the Low Countries to New Netherlands, we should be carried not only to the banks of the Rhine and the borders of the German Sea, but to the Protestants who escaped from France after the massacre of Bartholomew's eve ; and to those earlier inquirers who were swayed by the voice of Huss in the heart of Bohemia. New York was always a city of the world. Its settlers were relics of the first fruits of the reformation, chosen from the Belgic provinces and England, from France and Bohemia, from Germany and Switzerland, from Piedmont and the Italian Alps.

The religious sects, which, in the middle ages, had been fostered by the municipal liberties of the south of France, were the harbingers of modern freedom, and had therefore been sacrificed to the inexorable feudalism of the north. After a bloody conflict, the plebeian reformers, crushed by the merciless leaders of the military aristocracy, escaped to the highlands that divide France and Italy. Preserving the discipline of a benevolent, ascetic morality, with the simplicity of a spiritual worship,

“ When all our fathers worshipped stocks and stones,”

it was found, on the progress of the reformation, that they had by three centuries anticipated Luther and Calvin.

<sup>1</sup> Albany Rec. iv. 203, 212 ; xv. 140, 141 ; xi. 21, 240, and 140, 141, 150.

CHAP. The hurricane of persecution, which was to sweep  
 XV. Protestantism from the earth, did not spare their seclusion; mothers with infants were rolled down the rocks, and the bones of martyrs scattered on the Alpine mountains. Was there no asylum for the pious Waldenses? The city of Amsterdam offered the fugitives a free passage to America, and a welcome reception was prepared in New Netherlands<sup>1</sup> for the few who were willing to emigrate.

1656.  
 Dec.  
 19.

The persecuted of every creed and every clime were invited to the colony. When the Protestant churches in Rochelle were razed, the Calvinists of that city were gladly admitted; and the French Protestants came in such numbers, that the public documents were sometimes issued in French as well as in Dutch and English.<sup>2</sup> Troops of orphans were sometimes shipped for the milder destinies of the New World; a free passage was offered to mechanics; for "population was known to be the bulwark of every state." The government of New Netherlands had formed just ideas of the fit materials for building a commonwealth; they desired "farmers and laborers, foreigners and exiles, men inured to toil and penury."<sup>3</sup> The colony increased; children swarmed in every village;<sup>4</sup> the new year and the month of May were welcomed with noisy frolics: new modes of activity were devised; lumber was shipped to France;<sup>5</sup> the whale pursued off the coast; the vine, the mulberry, planted; flocks of sheep as well as cattle were multiplied;<sup>6</sup> and tile, so long

<sup>1</sup> Albany Records, iv. 223. Lam-brechtsten, p. 65, without quoting his authority, says six hundred came over. There could not have been so many. On a later occasion, 1663, the proposed emigration failed. Albany Records, iv. 223.

<sup>2</sup> Albany Records, xiv. 233; iv. 425, 461; xviii. 295.

<sup>3</sup> Ibid. xviii. 35; viii. 143.

<sup>4</sup> For instance, *ibid.* xix. 74.

<sup>5</sup> Ibid. xviii. 47.

<sup>6</sup> Ibid. iv. 91, 73, 92, 260, 326. Vander Donk, c. xiv.

imported from Holland,<sup>1</sup> began to be manufactured near Fort Orange. New Amsterdam could, in a few years, boast of stately buildings, and almost vied with Boston. "This happily-situated province," said its inhabitants, "may become the granary of our Fatherland; should our Netherlands be wasted by grievous wars, it will offer our countrymen a safe retreat; by God's blessing, we shall in a few years become a mighty people."

Thus did various nations of the Caucasian race assist in colonizing our central states. The African also had his portion on the Hudson. The West India Company, which sometimes transported Indian captives to the West Indies,<sup>2</sup> having large establishments on the coast of Guinea, at an early day introduced negroes into Manhattan, and continued the negro slave-trade without remorse. We have seen Elizabeth of England a partner in the commerce, of which the Stuarts, to the days of Queen Anne, were distinguished patrons; the city of Amsterdam<sup>3</sup> did not blush to own shares in a slave-ship, to advance money for the outfits, and to participate in the returns. In proportion to population, New York had imported as many<sup>4</sup> Africans as Virginia. That New York is not a slave-state like Carolina, is due to climate, and not to the superior humanity of its founders. Stuyvesant was instructed to use every exertion to promote the sale of negroes.<sup>5</sup> They were imported sometimes by way of the West Indies, often directly from Guinea,<sup>6</sup> and were sold at public auction to the highest bidder.<sup>7</sup> The average price<sup>8</sup> was less than

<sup>1</sup> Albany Records, xiv. 21; iv. 93; iii. 2.

<sup>2</sup> Ibid. xviii. 193.

<sup>3</sup> Ibid. viii. 383.

<sup>4</sup> Ibid. xxii. 308, 244; xviii. 116, 272, 299; xiii. 340.

<sup>5</sup> Albany Records, iv. 371.

<sup>6</sup> Ibid. iv. 2; viii. 14. The Records contain permits for the voyages, the numbers imported, &c.

<sup>7</sup> Ibid. iv. 332.

<sup>8</sup> Ibid. xviii. 72.

CHAP. one hundred and forty dollars. The monopoly of the  
 XV. traffic was not strictly enforced; and a change of policy  
 sometimes favored the export of negroes to the English  
 colonies.<sup>1</sup> The enfranchised negro might become a  
 freeholder.<sup>2</sup>

With the Africans came the African institution of  
 abject slavery; the large emigrations from Connecticut  
 engrafted on New Netherlands the Puritan idea of  
 popular freedom. There were so many English at  
 Manhattan as to require an English secretary, preachers  
 who could speak in English as well as in Dutch, and a  
 publication of civil ordinances in English.<sup>3</sup> Whole  
 towns had been settled by New England men, who,  
 having come to America to serve God with a pure con-  
 science, and desiring to provide for the outward com-  
 forts and souls' welfare of their posterities, planted  
 New England liberties in a Congregational way, with  
 the consent, and under the jurisdiction of the Dutch.<sup>4</sup>  
 Their presence and their activity foretold a revolution.

In the Fatherland, the power of the people was un-  
 known; in New Netherlands, the necessities of the  
 colony had given it a twilight existence, and delegates  
 from the Dutch towns, at first twelve, then perhaps  
 1642. eight in number, had mitigated the arbitrary authority  
 of Kieft. There was no distinct concession of legisla-  
 tive power to the people; but the people had, without  
 a teacher, become convinced of the right of resistance.  
 1644. The brewers refused to pay an arbitrary excise: "Were  
 Aug. we to yield," said they, "we should offend the eight  
 18. men, and the whole commonalty." The large propri-  
 etaries did not favor popular freedom; the commander  
 1644. of Renselaer Stein had even raised a battery, that "the

<sup>1</sup> Albany Records, iv. 333, 172,  
 371, 456; xix. 26; xi. 35.

<sup>2</sup> Ibid. xxii. 331. But compare  
 ii. 242.

<sup>3</sup> Albany Records, iv. 74.

<sup>4</sup> Ibid. xix. 409—419.

canker of freemen" might not enter the manor; but the patrons cheerfully joined the free boors in resisting arbitrary taxation. As a compromise, it was proposed that, from a double nomination by the villages, the governor should appoint tribunes, to act as magistrates in trivial cases, and as agents for the towns, to give their opinion whenever they should be consulted. Town-meetings were absolutely prohibited.<sup>1</sup>

Discontents increased. Vander Donk and others were charged with leaving nothing untried to abjure what they called the galling yoke of an arbitrary government. A commission repaired to Holland for redress; as farmers, they claimed the liberties essential to the prosperity of agriculture; as merchants, they protested against the intolerable burden of the customs; and when redress was refused, tyranny was followed by its usual consequence—clandestine associations against oppression.<sup>2</sup> The excess of complaint obtained for New Amsterdam a court of justice like that of the metropolis; but the municipal liberties included no political franchise; the sheriff<sup>3</sup> was appointed by the governor; the two burgomasters and five schepens made a double nomination of their own successors, from which "the valiant director himself elected the board."<sup>4</sup> The city had privileges, not the citizens. The province gained only the municipal liberties, on which rested the commercial aristocracy of Holland. Citizenship was a commercial privilege, and not a political enfranchisement.<sup>5</sup> It was not much more than a license to trade.<sup>6</sup>

<sup>1</sup> Albany Records, iii. 187, 188; vii. 74, 82, &c.

<sup>2</sup> Ibid. iv. 25, 29, 30, 33, 68.

<sup>3</sup> Ibid. xiii. 96—99; viii. 139—142.

<sup>4</sup> Albany Records, xix. 33, 34.

<sup>5</sup> So afterwards, in 1657. Albany Records, xv. 54—56.

<sup>6</sup> Ibid. xxiv. 45. Compare xx. 247, 248.

CHAP.  
XV.

1647.

1649

to

1652.

1650.

1652.

April

4.

CHAP. The system was at war with Puritan usages ; the  
 XV. Dutch in the colony readily caught the idea of relying  
 1653. on themselves ; and the persevering restlessness of the  
 Nov. people led to a general assembly of two deputies from  
 to each village in New Netherlands ; an assembly which  
 Dec. Stuyvesant was unwilling to sanction, and could not prevent. As in Massachusetts, this first convention<sup>1</sup> sprung from the will of the people ; and it claimed the right of  
 Dec. deliberating on the civil condition of the country.

“ The States General of the United Provinces ”—such was the remonstrance and petition, drafted by George Baxter, and unanimously adopted by the convention—“ are our liege lords ; we submit to the laws of the United Provinces ; and our rights and privileges ought to be in harmony with those of the Fatherland, for we are a member of the state, and not a subjugated people. We, who have come together from various parts of the world, and are a blended community of various lineage ; we, who have, at our own expense, exchanged our native lands for the protection of the United Provinces ; we, who have transformed the wilderness into fruitful farms,—demand, that no new laws shall be enacted but with consent of the people, that none shall be appointed to office but with the approbation of the people, that obscure and obsolete laws shall never be revived.”<sup>2</sup>

Stuyvesant was taken by surprise. He had never had faith in “ the wavering multitude ; ”<sup>3</sup> and doubts of man’s capacity for self-government dictated his reply. “ Will you set your names to the visionary notions

<sup>1</sup> The original is *Lantdag*. Dutch Records, 2.

<sup>2</sup> Albany Records, ix. 28—33. I have selected and compressed the prominent points. Every word will, I trust, be found to be sanctioned

by the Dutch originals. Of course I have not adhered strictly to the words of Vander Kemp’s honest but ungrammatical version.

<sup>3</sup> *Ibid.* vii. 73.

of the New England man? Is no one of the Netherlands' nation able to draft your petition? And your prayer is so extravagant, you might as well claim to send delegates to the assembly of their high mightinesses themselves.

CHAP.  
XV.  
1653.

1. "Laws will be made by the director and council. Evil manners produce good laws for their restraint; and therefore the laws of New Netherlands are good.

2. "Shall the people elect their own officers? If this rule become our cynosure, and the election of magistrates be left to the rabble, every man will vote for one of his own stamp. The thief will vote for a thief; the smuggler for a smuggler; and fraud and vice will become privileged.

3. "The old laws remain in force; directors will never make themselves responsible to subjects."<sup>1</sup>

The delegates, in their rejoinder, appealed to the inalienable rights of nature. "We do but design the general good of the country and the maintenance of freedom; nature permits all men to constitute society, and assemble for the protection of liberty and property."<sup>2</sup> Stuyvesant, having exhausted his arguments, could reply only by an act of power; and dissolving the assembly, he commanded its members to separate on pain of arbitrary punishment. "We derive our authority from God and the West India Company, not from the pleasure of a few ignorant subjects:" such was his farewell message to the convention which he dispersed.

Dec.  
13.

The West India Company<sup>3</sup> declared this resistance to arbitrary taxation to be "contrary to the maxims

<sup>1</sup> Albany Records, ix. 38—46.

<sup>2</sup> Ibid. ix. 48, 49, &c. &c.

<sup>3</sup> Ibid. iv. 129, 133, 168, 175,

&c.; xiv. 169, 171. Compare xviii. 77.



CHAP. of every enlightened government." "We approve the  
 XV. taxes you propose;"—thus they wrote to Stuyvesant—  
 "have no regard to the consent of the people;" "let  
 them indulge no longer the visionary dream, that taxes  
 can be imposed only with their consent." But the  
 people continued to indulge the dream; taxes could  
 1654 not be collected; and the colonists, in their desire that  
 to  
 1658. popular freedom might prove more than a vision,  
 listened with complacency to the hope of obtaining  
 English liberties by submitting to English jurisdiction.

Cromwell had planned the conquest of New Netherlands; in the days of his son, the design was revived; and the restoration of Charles II. threatened New Netherlands with danger from the south, the north, and from England.

In previous negotiations with the agent of Lord  
 1659. Baltimore, the envoy of New Netherlands had firmly  
 maintained the right of the Dutch to the southern  
 bank of the Delaware, pleading purchase and colonization  
 before the patent to Lord Baltimore had been  
 granted. The facts were conceded; but, in the pride  
 of strength, it was answered, that the same plea had  
 not availed Clayborne, and should not avail the Dutch.<sup>1</sup>  
 On the restoration, Lord Baltimore renewed his claims  
 to the country from Newcastle to Cape Henlopen;  
 they were defended by his agents in Amsterdam and  
 in America, and were even presented to the States  
 General of the United Provinces. The College of  
 XIX. of the West India Company was inflexible;  
 1660. conscious of its rights, it refused to surrender its pos-  
 Sept. sessions, and resolved "to defend them even to the  
 1.

<sup>1</sup> Heerman's Journal of his embassy to Maryland, in reply to Col. N. Utie, &c., in Albany Records, xviii. 337—365. Compare also viii. 185. So too Maryland Papers, in N. Y. Hist. Coll. iii. 369—386.

spilling of blood."<sup>1</sup> Beekman, the Dutch lieutenant-governor on the Delaware, was faithful to his trust; the jurisdiction of his country was maintained; and when young Baltimore, with his train, appeared at the mouth of the Brandywine, he was honored as a guest; but the proprietary claims of his father were triumphantly resisted. The Dutch, and Swedes, and Finns, kept the country safely for William Penn. At last, the West India Company, desiring a barrier against the English on the south, transferred the whole country on the Delaware to the city of Amsterdam. The banks of the river from Cape Henlopen to the falls at Trenton, certainly remained under the jurisdiction of the Dutch.

CHAP.  
XV.1659  
to  
1664.1663.  
Feb.  
and  
July.

With Virginia, during the protectorate, the most amicable relations had been confirmed by reciprocal courtesies. Even during the war between England and Holland, friendly intercourse had continued; for why, it was said, should there be strife between old friends and neighbors, brothers in Christ, dwelling in countries so far from Europe? Commerce, if interrupted by a transient hesitancy as to its security, soon recovered its freedom, and was sometimes conducted even with Europe by way of Virginia. Equal rights

1653.

1659.

<sup>1</sup> This statement is opposite to the account which the enemies of Penn have given. It is nevertheless the true one. The original despatch of the West India Company exists at Albany. The English reader may consult Albany Records, viii. 293, 294, where he will find the words of the text. Now compare Chalmers, 634. "The West India Company sent private orders to its officers to withdraw to the northward of Lord Baltimore's boundary." The company sent private orders *not to give up the country, but to defend it even to the spill-*

*ing of blood.* Once more turn to Chalmers, 634. "Charles Calvert, the son of the proprietary, immediately occupied what his opponents had relinquished." This also is wrong. The heir of Lord Baltimore made a visit on the river, and was hospitably entertained by Beekman as a guest, not as a proprietary. See Records, xvii. 286, 297. But Chalmers hated Penn, and recklessly or passionately falsified history. And how hard to destroy error! How many have copied this statement of Chalmers!

CHAP. in the colonial courts were reciprocally secured by  
 XV. treaty. But upon the restoration, the act of naviga-  
 1664. tion, at first evaded, was soon enforced; and by degrees,  
 June Berkeley, whose brother coveted the soil of New Jer-  
 10. sey, threatened hostility. Clouds gathered in the south.<sup>1</sup>

In the north, affairs were still more lowering. Mas-  
 sachusetts did not relinquish its right to an indefinite  
 extension of its territory to the west; and the people  
 of Connecticut not only increased their pretensions on  
 1662. Long Island, but regardless of the provisional treaty,  
 Oct. claimed West Chester,<sup>2</sup> and were steadily advancing  
 towards the Hudson. To stay these encroachments,  
 1663. Stuyvesant himself repaired to Boston,<sup>3</sup> and entered his  
 Sept. complaints to the convention of the United Colonies.  
 But Massachusetts maintained a neutrality; the voyage  
 was, on the part of the Dutch, a confession of weak-  
 ness; and Connecticut inexorably demanded delay.  
 An embassy to Hartford renewed the language of re-  
 monstrance with no better success. Did the Dutch  
 1663. assert their original grant from the States General? It  
 Oct. was interpreted as conveying no more than a commer-  
 15 to cial privilege. Did they plead discovery, purchase from  
 26. the natives, and long possession? It was replied, that  
 Connecticut, by its charter, extended to the Pacific.  
 "Where, then," demanded the Dutch negotiators,  
 "where is New Netherlands?"—And the agents of  
 Connecticut, with provoking indifference, replied, "We  
 do not know."<sup>4</sup>

These unavailing discussions were conducted during

<sup>1</sup> Albany Records, iv. 133, 165, 168, 198, 211, 236, 248, 282, 351, 320, 382; xxiv. 101, &c., 300, 399, 401; xviii. 157, &c., 197, 258—262.

<sup>2</sup> Ibid. xxi. 97, and xxi. 381, 388, and xxiv. 161—174.

<sup>3</sup> Hazard, ii. 479—483.

<sup>4</sup> Journal of the Envoys to Hartford, in Albany Records, xvi. 292, 315. Compare also Trumbull's Connecticut and the numerous documents in Hazard.

the horrors of a half-year's war with the savages round Esopus. The rising village on the banks of that stream was laid waste; many of its inhabitants murdered or made captive; and it was only on the approach of winter that an armistice restored tranquillity.<sup>1</sup> The colony had no friend but the Mohawks. "The Dutch," said the faithful warriors of the Five Nations, "are our brethren. With them we keep but one council fire; we are united by a covenant chain."<sup>2</sup>

CHAP.  
XV.1663.  
June.

Nov.

The contests with the natives, not less than with New England, displayed the feebleness of New Netherlands. The province had no popular freedom, and therefore had no public spirit. In New England, there were no poor; in New Netherlands, the poor were so numerous, it was difficult to provide for their relief.<sup>3</sup> The Puritans easily supported schools every where, and Latin schools in their larger villages; on Manhattan, a Latin school lingered, with difficulty, through two years, and was discontinued.<sup>4</sup> In New England, the people, in the hour of danger, rose involuntarily, and defended themselves; in the Dutch province, men were unwilling to go to the relief even of villages<sup>5</sup> that were in danger from the Indians, and demanded protection from the company, which claimed to be their absolute sovereign.

The necessities of the times wrung from Stuyvesant the concession of an assembly; the delegates of the villages would only appeal to the States General and to the West India Company for protection. But the States General had, as it were, invited aggression by abstaining from every public act which should pledge

1663.  
Nov.  
1.<sup>1</sup> Albany Records, xvi. 194—284.<sup>2</sup> Ibid. xviii. 102, 103; xix. 97.<sup>3</sup> Ibid. xix. 187, 377.<sup>4</sup> Albany Records, iv. 303; xviii. 19, 44, 164.<sup>5</sup> Ibid. xviii. 55—59.

CHAP. their honor to the defence of the province ; and the  
 XV. West India Company was too penurious to risk its  
 funds, where victory was so hazardous. A new and  
 1664. more full diet was held in the spring of 1664. Rumors  
 April. of an intended invasion from England had reached the  
 colony ; and the popular representatives, having remon-  
 strated against the want of all means of defence, and  
 foreseeing the necessity of submitting to the English,  
 demanded plainly of Stuyvesant—" If you cannot pro-  
 tect us, to whom shall we turn ?" The governor,  
 faithful to his trust, proposed the enlistment " of every  
 third man, as had more than once been done in the  
 Fatherland." And thus Manhattan was left without  
 defence ; the people would not expose life for the West  
 India Company ; and the company would not risk  
 bankruptcy for a colony which it valued chiefly as  
 property. The established government could not but  
 fall into contempt. In vain was the libeller of the  
 May 12. magistrates fastened to a stake with a bridle in his  
 mouth. Stuyvesant confessed his fear of the colonists.  
 June 2. " To ask aid of the English villages would be inviting  
 the Trojan horse within our walls."—" I have not  
 Aug. 4. time to tell how the company is cursed and scolded ;  
 the inhabitants declare that the Dutch have never had  
 a right to the country." Half Long Island had revolt-  
 ed ; the settlements on the Esopus wavered ; the  
 Connecticut men had purchased of the Indians all the  
 seaboard as far as the North River. Such were the  
 narratives of Stuyvesant to his employers.

In the mean time, the United Provinces could not  
 distrust a war with England. No cause for war ex-  
 isted except English envy of the commercial glory and  
 prosperity of Holland. In profound confidence of  
 firm peace, the countrymen of Grotius were planning

liberal councils ; at home they designed an abandonment of the protective system and concessions to free trade ; in the Mediterranean, their fleet, under De Ruyter, was preparing to suppress the piracies of the Barbary states, and punish the foes of Christendom and civilization. And at that very time, the English were engaging in a piratical expedition against the Dutch possessions on the coast of Guinea. The king had also, with equal indifference to the chartered rights of Connecticut, and the claims of the Netherlands, granted to the duke of York not only the country from the Kennebec to the St. Croix, but the whole territory from the Connecticut River to the shores of the Delaware ; and under the conduct of Sir Robert Nichols, groom of the bedchamber to the duke of York, the English squadron which carried the commissioners for New England to Boston, having demanded recruits in Massachusetts, and received on board the governor of Connecticut, approached the narrows, and quietly cast anchor in Gravesend Bay. Long Island was lost ; soldiers from New England pitched their camp near Breukelen Ferry.

CHAP.  
XV.1664.  
Feb.Mar.  
12.July  
23.Aug.  
28.

In New Amsterdam there existed a division of councils. Stuyvesant, faithful to his employers, struggled to maintain their interests ; the municipality, conscious that the town was at the mercy of the English fleet, desired to avoid bloodshed by a surrender. A joint committee from the governor and the city having demanded of Nichols the cause of his presence, he replied by requiring of Stuyvesant the immediate acknowledgment of English sovereignty, with the condition of security to the inhabitants in life, liberty, and property. At the same time, Winthrop of Connecticut, whose love of peace and candid affection for the Dutch

Aug.  
30.

CHAP. nation had been acknowledged by the West India  
 XV. Company, advised his personal friends to offer no resistance. "The surrender," Stuyvesant nobly answered, "would be reproved in the Fatherland." The  
 1664. burgomasters, unable to obtain a copy of the letter from  
 Sept. 1. Nichols, summoned, not a town-meeting,—that had been inconsistent with the manners of the Dutch,—but the principal inhabitants to the public hall, where it was resolved, that the community ought to know all that related to its welfare. On a more urgent demand for the letter from the English commander, Stuyvesant angrily tore it in pieces; and the burgomasters, instead of resisting the invasion, spent their time in framing a protest against the governor. On the next day, a new deputation repaired to the fleet; but Nichols declined discussion. "When may we visit you again?" said the commissioners. "On Thursday," replied Nichols; "for to-morrow I will speak with you at Manhattan."—"Friends," it was smoothly answered, "are very welcome there."—"Raise the white flag of peace," said the English commander, "for I shall come with ships of war and soldiers." The commissioners returned to advocate the capitulation, which was quietly effected on the following days. The aristocratic liberties of Holland yielded to the hope of popular liberties like those of New England.

The articles of surrender, framed under the auspices of the municipal authority, by the mediation of the younger Winthrop and Pynchon, accepted by the magistrates and other inhabitants assembled in the  
 Sept. 8. town hall, and not ratified by Stuyvesant till the surrender had virtually been made, promised security to the customs, the religion, the municipal institutions, the possessions of the Dutch. The enforcement of the

navigation act was delayed for six months. During that period, direct intercourse with Holland remained free. CHAP.  
XV.  
The towns were still to choose their own magistrates; and Manhattan, now first known as New York, to elect its deputies with free voices in all public affairs.<sup>1</sup>

The colonists were satisfied; very few embarked for Holland; it seemed rather, that the new benefit of English liberties was to be added to the security of property. The recruits from Massachusetts were dismissed. In a few days, Fort Orange, now named 1664.  
Sept.  
24 Albany, from the Scottish title of the duke of York, quietly surrendered; and the league with the Five Nations was wisely renewed. Early in October, the Oct. 1. Dutch and Swedes on the Delaware capitulated; and for the first time the whole Atlantic coast of the old thirteen states was in possession of England. Our country had obtained geographical unity.

The dismemberment of New Netherlands ensued on its surrender. The duke of York had already, two June  
23, 24 months before the conquest, assigned to Lord Berkeley and Sir George Carteret, both proprietaries of Carolina, the land between the Hudson and the Delaware. In honor of Carteret, the territory, with nearly the same bounds as at present, except on the north, received the name of New Jersey. If to fix boundaries and grant the soil could constitute a commonwealth, the duke of York gave political existence to New Jersey. The Dutch had been the first to plant the soil which Hudson had discovered; the moral character of the commonwealth was moulded by New England Puritans, English Quakers, and dissenters from Scotland.

<sup>1</sup> The account of the surrender the Albany Records, chiefly in vols. I have taken exclusively from the xviii. and xxii. They are more full copious contemporary documents in than Smith.



CHAP. A few families of Quakers had found a refuge in  
 XV. New Jersey before the end of 1664.<sup>1</sup> More than a  
 1663. year earlier, New England Puritans, sojourners on Long  
 March 26. Island, solicited and obtained leave to establish them-  
 selves and their cherished institutions on the Raritan.<sup>2</sup>  
 1664. To favor colonization, Nichols, ignorant of the sale of  
 New Jersey, encouraged farmers from Long Island and  
 New England to emigrate in numbers, by authorizing  
 them to purchase lands directly from the natives ;<sup>3</sup> and  
 without the knowledge of the proprietaries, the coast  
 from the old Dutch<sup>4</sup> settlement of Bergen to Shrews-  
 bury was adorned with a semicircle of villages.

Meantime England witnessed one of the most inter-  
 1665. esting occurrences in American history. Avarice paid  
 Feb. 10. its homage to freedom ; and the bigoted royalists, who  
 were now lords of the soil, indifferent to liberty, yet  
 desirous to foster the rapid settlement of their province,  
 vied with New England in the invention of a liberal  
 constitution. Security of persons and property under  
 laws to be made by an assembly composed of the gov-  
 ernor and council, and at least an equal number of  
 representatives of the people ; freedom from taxation  
 except by the act of the colonial assembly ; a combined  
 opposition of the people and the proprietaries to any  
 arbitrary impositions ; freedom of judgment, and con-  
 science, and worship, to every peaceful citizen ; in a  
 word, a guaranty against the abuse of any prerogative,

<sup>1</sup> History of Pennsylvania, in Hazard's Register, vi. 180.

<sup>2</sup> Albany Records, iv. 415.

<sup>3</sup> Gordon's New Jersey, 27.

<sup>4</sup> "A few Danes in Bergen, named after the capital of Norway." Smith's New Jersey, 61. "Bergen settled probably by Danes." Gordon's Gazetteer, 102. Now turn to Rudyard, in Smith, 170. "Our country here, called

Bergen, is almost Dutchmen." Bergen is a German and Dutch name, as well as Norwegian. Smith wrote from conjecture, and so contradicted the document he has himself printed. This is a small affair to remark upon ; but a great deal of history is written on conjecture, because it was taken for granted, that things were so.

whether of the king, the parliament, or the proprietary, —these were the pledges of prosperity to New Jersey, and the invitation to all inhabitants of the English dominions. To the proprietaries were reserved a veto on provincial enactments, the appointment of judicial officers, and the executive authority. Lands were promised largely at a moderate quitrent; the servant, at the period of enfranchisement, became a freeholder. The duke of York, now president of the African Company, was the patron of the slave-trade, as well as of Berkeley and Carteret; the proprietaries of New Jersey, more true to the prince than to humanity, offered a bounty of seventy-five acres of land for the importation of each able slave. Quitrents were not to be collected till 1670. That the tenure of estates might rest on equity, the Indian title to lands was in all cases to be quieted.<sup>1</sup>

Such was the institution of a separate government for New Jersey, the only portion of New Netherlands which at once gained popular freedom. The concession of political franchises gave it a distinct existence; in vain did Nichols protest against the division of his province,<sup>2</sup> and struggled to recover for his patron the territory which had been released in ignorance. He was not seconded by the people of New Jersey, and, therefore, his complaints were fruitless. The colony quietly received Philip Carteret as its governor; and the cluster of four houses, which, in honor of the fashionable,<sup>3</sup> kind-hearted Lady Carteret, was now called Elizabethtown, rose into dignity as the capital of the province. To New England, even from the first the

CHAP.  
XV.

1665.  
Aug.

<sup>1</sup> Document, in Smith's New Jersey.

<sup>2</sup> See letter, Chalmers, 624, 625.

<sup>3</sup> Pepys, i. 400, 470.

CHAP. XV. nursery of men, and hive of swarms of emigrants, messengers were despatched to publish the tidings that Puritan liberties were warranted a shelter on the Raritan. And New England men, whose citizens had already overrun Long Island, had, years before, struggled for a settlement on the Delaware, and had just been purchasing an extensive territory in Carolina, came and bargained with the Indians for Newark. The province increased in numbers and prosperity. The land was accessible and productive; the temperate climate delighted by its salubrity; there was little danger from the neighboring Indians, whose strength had been broken by long hostilities with the Dutch; the Five Nations guarded the approaches from the interior; and the vicinity of older settlements saved the emigrants from the distresses of a first adventure in the wilderness. Every thing was of good augury, till quitrents were seriously spoken of. But on the subject of real estate in the New World, the Puritans and the lawyers differed widely. The New England men always asserted that the earth had been given to Noah and his posterity; that the heathen, as a part of his lineal descendants, had a rightful claim to their lands; that to deny it was a Popish heresy, worthy only of believers in the infallibility of Alexander VI.; that therefore a deed from the Indians was paramount to any land-title whatever. The Indian deeds, executed partly with the approbation of Nichols, partly with the consent of Carteret himself, were pleaded as superior to proprietary grants; disputes were followed by confusion; the established authority fell into contempt; and the colonists, conscious of their ability to take care of themselves, appointed their own magistrates and managed their own government. Philip Carteret

withdrew to England, leaving the colonists to domestic peace. CHAP.  
XV.

As in Rhode Island, as in North Carolina, so in New Jersey, the people were humane. The personal rights and property of Carteret<sup>1</sup> were sacredly respected; and in the Elizabethtown code of laws, Puritan austerity was so tempered by Dutch indifference, that mercy itself could not have dictated a milder system. An orthodox ministry was deemed essential to every village; temperance, decorum, and a due observance of the Lord's day, were enforced by slight penalties. The seducer married the victim of affection; lewdness was rebuked. The false witness was disfranchised; the liar fined; the thief made double restitution, and was amerced for damages. Every man's estate was registered, and the treasury supplied by a direct tax on property. The rates might be paid in grain or tallow, in beef or butter. The member that arrived at the assembly after eight in the morning was fined. Happy days of innocence! to obstruct the public business was a punishable crime.<sup>2</sup>

The mild system of New Jersey did not extend beyond the Delaware; the settlements in New Netherlands on the opposite bank, consisting chiefly of groups of Dutch round Lewistown and Newcastle, and Swedes and Finns at Christiana Creek, at Chester, and near Philadelphia, were retained as a dependency of New York. The claim of Lord Baltimore was denied with pertinacity. At last, the people of Maryland, desiring to stretch the boundary of their province to the bay, invaded Lewistown with an armed force.<sup>3</sup> The county was immediately reclaimed, as belonging by conquest

<sup>1</sup> Albany Records, xxiii. 315.

<sup>2</sup> Elizabethtown Code, in Albany Records, xxii. 375—391. The

substance of the code is in Smith, Gordon, and others.

<sup>3</sup> Bacon's Laws, 1676, c. xxi.

CHAP. to the duke of York ;<sup>1</sup> and Delaware still escaped the  
 XV. imminent peril of being absorbed in Maryland.

1664. In respect to civil liberties, the territory shared the fortunes of New York ; and for that province the establishment of English jurisdiction was not followed by the expected concessions. Connecticut, surrendering all claims

1664. to Long Island, obtained a favorable boundary on the  
 Dec. 1. main. The city of New York was incorporated ; the municipal liberties of Albany were not impaired ; but the province had no political franchises, and therefore no political unity. In the governor and his subservient council were vested the executive and the highest

1664 judicial powers ; with the court of assizes, composed  
 to of justices of his own appointment, holding office at  
 1667. his will, he exercised supreme legislative power, promulgated a code of laws, and modified or repealed them at pleasure. No popular representation, no true English liberty, was conceded. Once, indeed, and

1665. only once, an assembly was held at Hempstead, chiefly  
 Mar. for the purpose of settling the respective limits of the towns on Long Island. The rate for public charges was there perhaps agreed upon ;<sup>2</sup> and the deputies were induced to sign an extravagantly loyal address to the duke of York. But "factious republicans" abounded ; the deputies were scorned by their constituents for their inconsiderate servility ;<sup>3</sup> and the governor, who

1666. never again conceded an assembly, was "reproached and vilified" for his arbitrary conduct. Even the Dutch patents for land were held to require renewal, and Nichols gathered a harvest of fees from exacting new title-deeds.

<sup>1</sup> Documents, in Smith's New Jersey, c. iii. iv.

<sup>2</sup> Nichols, in Chalmers, 597. Nichols, in these words, evidently distinguishes between the court

of assizes and the general assembly.

<sup>3</sup> Correct Chalmers, 577, 598, 599, by Wood, 87 ; or Additions to the code in N. Y. Hist. Coll. i. 418.

Under Lovelace, his successor, the same system was more fully developed. Even on the southern shore of the Delaware, the Swedes and Finns, the most enduring of all emigrants, were roused to resistance. "The method for keeping the people in order is severity, and laying such taxes as may give them liberty for no thought but how to discharge them." Such was the remedy proposed in the instructions from Lovelace to his southern subordinate, and carried into effect by an arbitrary tariff.

CHAP.  
XV.  
1667.  
May.  
1669.

Oct.  
18.

In New York, when the established powers of the towns favored the demand for freedom, eight villages soon united in remonstrating against the arbitrary government; they demanded the promised legislation by annual assemblies. But absolute government was the settled policy of the royal proprietary; and taxation for purposes of defence, by the decree of the governor, was the next experiment. The towns of Southold, Southampton, and Easthampton, expressed themselves willing to contribute, if they might enjoy the privileges of the New England colonies. The people of Huntington refused altogether; for, said they, "we are deprived of the liberties of Englishmen." The people of Jamaica declared the decree of the governor a disfranchisement, contrary to the laws of the English nation. Flushing and Hempstead were equally resolute. The votes of the several towns were presented to the governor and council; they were censured as "scandalous, illegal, and seditious, alienating the peaceable from their duty and obedience," and, according to the established precedents of tyranny, were ordered to be publicly burnt before the town-house of New York.<sup>1</sup>

Oct.  
9.

1670.  
Oct.  
8.

Dec.  
21.

<sup>1</sup> S. Wood's Sketch of the First Settlement of Long Island, p. 86—96.

CHAP.  
XV.

- It was easy to burn ~~the~~ votes which the yeomanry of Long Island had passed in their town-meetings. But, meantime, the forts were not put in order; the government of the duke of York was hated as despotic; and when, in the next war between England and the Netherlands, a small Dutch squadron, commanded by the gallant Evertsen of Zealand, approached Manhattan, the city was surrendered without a blow; the people of New Jersey made no resistance, and the counties on the Delaware, recovering greater privileges than they had enjoyed, cheerfully followed the example.<sup>1</sup> The quiet of the neighboring colonies was secured by a compromise for Long Island and a timely message from Massachusetts. The year in which Champlain and the French entered New York on the north as enemies to the Five Nations, Hudson and the Dutch appeared at the south as their friends. The Mohawk chiefs now came down to congratulate their brethren on the recovery of their colony. "We have always," said they, "been as one flesh. If the French come down from Canada, we will join with the Dutch nation, and live and die with them;" and the words of love were confirmed by a belt of wampum.<sup>2</sup> New York was once more a province of the Netherlands.

1673, 1674.

The moment at which Holland and Zealand retired for a season from American history, like the moment of their entrance, was a season of glory. The little nation of merchants and manufacturers had just achieved its independence of Spain, and given to the Protestant world a brilliant example of a federal republic, when its mariners took possession of the Hudson. The country was now reconquered, at a time when the

<sup>1</sup> Albany Records, xxiii. 318, 323—326, 332, &c.

<sup>2</sup> Albany Records, xxiii. 211, &c.

provinces, single-handed, **were** again struggling for existence against yet **more** powerful antagonists. CHAP.  
XV.  
 France, supported by the bishops of Munster and Cologne, had succeeded in involving England in a conspiracy for the political destruction of England's commercial rival. Charles II. had begun hostilities as a pirate; and Louis XIV. did not disguise the purpose of conquest. With armies amounting to two hundred thousand men, to which the Netherlands could oppose no more than twenty thousand, the French monarch invaded the republic; and within a month, Holland **1673.** was exposed to the same desperate dangers which had been encountered a century before; while the English fleet, hovering off the coast, endeavored to land English troops in the heart of the wealthiest of the provinces. Ruin was imminent, and had come but for the public virtue. The annals of the human race record but few instances where moral power has so successfully defied every disparity of force, and repelled such desperate odds by invincible heroism. At sea, where greatly superior numbers were on the side of the allied fleets of France and England, the untiring courage of the Dutch would not consent to be defeated. On land, the dikes were broken up; the country drowned; the son of Grotius, suppressing anger at the ignominious proposals of the French, protracted the negotiations till the rising waters could form a wide and impassable moat round the cities. Was an invasion still feared from the east? At Groningen, the whole population, without regard to sex, children even, labored on the fortifications; and fear was not permitted even to a woman. Would William of Orange sustain the crisis with calm intrepidity? Arlington, one of the joint proprietaries of Virginia, advised him to seek advancement by yielding



CHAP. to England. "My country," calmly replied the young  
 XV. man, "trusts in me; I will not sacrifice it to my inter-  
 1673. ests, but, if need be, die with it in the last ditch." The  
 landing of British troops in Holland could be prevented  
 only by three naval engagements. De Ruyter and the  
 younger Tromp had been bitter enemies; the latter  
 had been disgraced on the accusation of the former;  
 political animosities had increased the feud. At the  
 June battle of Soulsbay, where the Dutch with fifty-two  
 7. ships of the line engaged an enemy with eighty, De  
 Ruyter was successful in his first manœuvres, while  
 the extraordinary ardor of Tromp plunged headlong  
 into dangers which he could not overcome; the frank  
 and true-hearted De Ruyter checked himself in the  
 career of victory, and turned to the relief of his rival.  
 "Oh, there comes grandfather to the rescue," shouted  
 Tromp in an ecstasy; "I never will desert him so long  
 as I breathe." The issue of the day was uncertain.  
 June In the second battle, the advantage was with the  
 14. Dutch. About three weeks after the conquest of New  
 Netherlands, the last and most terrible conflict took  
 Aug. place near the Helder. The enthusiasm of the Dutch  
 21. mariners dared almost infinite deeds of valor; the noise  
 of the artillery boomed along the low coast of Holland;  
 the churches on the shore were thronged with suppliants,  
 begging victory for the right cause and their country.  
 The contest raged, and was exhausted, and was again  
 renewed with unexampled fury. But victory was with  
 De Ruyter and the younger Tromp, the guardians of  
 their country. The British fleet retreated, and was  
 pursued; the coasts of Holland were protected.

For more than a century, no other naval combat  
 was fought between Netherlands and England. The  
 English parliament, condemning the war, refused sup-

plies ; Prussia and Austria **were** alarmed ; Spain openly threatened, and Charles II. consented to treaties. All conquests were to be restored ; and Holland, which had been the first to claim the enfranchisement of the oceans, against its present interests, established by compact the rights of neutral flags. In a work dedicated to all the princes and nations of Christendom, and addressed to the common intelligence of the civilized world, the admirable Grotius, contending that right and wrong are not the evanescent expressions of fluctuating opinions, but are endowed with an immortality of their own, had established the freedom of the seas on an imperishable foundation. Ideas once generated live forever. With the recognition of this principle, Holland disappears from our history ; when, after the lapse of more than a century, this principle comes in jeopardy, Holland, the mother of four of our states, will rise up as our ally, bequeathing to the new federal republic that great principle of maritime freedom which she had vindicated against Spain, and for which we shall see her prosperity fall a victim to England.

CHAP.  
XV.  
1674.

On the final transfer of New Netherlands to England, after a military occupation of fifteen months by the Dutch, the brother of Charles II. resumed the possession of New York, and Carteret appears once more as proprietary of the eastern moiety of New Jersey ; but the banks of the Delaware were reserved for men who had been taught by the uneducated son of a poor Lancashire weaver to seek the principle of God in their own hearts, and to build the city of humanity by obeying the nobler instincts of human nature.

Oct.  
31.

## CHAPTER XVI.

## THE PEOPLE CALLED QUAKERS IN THE UNITED STATES.

CHAP.  
XVI.

THE nobler instincts of humanity are the same in every age and in every breast. The exalted hopes, that have dignified former generations of men, will be renewed as long as the human heart shall throb. The visions of Plato are but revived in the dreams of Sir Thomas More. A spiritual unity binds together every member of the human family; and every heart contains an incorruptible seed, capable of springing up and producing all that man can know of God, and duty, and the soul. An inward voice, uncreated by schools, independent of refinement, opens to the unlettered hind, not less than to the polished scholar, a sure pathway into the enfranchisements of immortal truth.

This is the faith of the people called QUAKERS. A moral principle is tested by the attempt to reduce it to practice.

The history of European civilization is the history of the gradual enfranchisement of classes of society. The feudal sovereign was limited by the power of the military chieftains, whose valor achieved his conquests. The vast and increasing importance of commercial transactions gave new value to the municipal privileges of which the Roman empire had bequeathed the precedents; while the intricate questions that were perpetually arising for adjudication, crowded the igno-

rant military magistrate from the bench, and reserved the wearisome toil of deliberation for the learning of his clerk. The emancipation of the country people followed. In every European code, the ages of feudal influence, of mercantile ambition, of the enfranchisement of the yeomanry, appear distinctly in succession.

CHAP.  
XVI.

It is the peculiar glory of England, that her free people always had a share in the government. From the first, her freeholders had legislative power as well as freedom ; and the tribunals were subjected to popular influence by the institution of a jury. The majority of her laborers were serfs ; many husbandmen were bondmen, as the name implies ; but the established liberties of freeholders quickened, in every part of England, the instinct for popular advancement. The Norman invasion could not uproot the ancient institutions ; they lived in the heart of the nation, and rose superior to the Conquest.

The history of England is therefore marked by an original, constant and increasing political activity of the people. In the fourteenth century, the peasantry, conducted by tilers, and carters, and ploughmen, demanded of their young king a deliverance from the bondage and burdens of feudal oppression ; in the fifteenth century, the last traces of villenage were wiped away ; in the sixteenth, the noblest ideas of human destiny, awakening in the common mind, became the central points round which plebeian sects were gathered ; in the seventeenth century, the enfranchised yeomanry began to feel an instinct for dominion ; and its kindling ambition, quickly fanned to a flame, would not rest till it had attempted a democratic revolution. The best soldiers of the Long Parliament were country people ; the men that turned the battle on Marston Moor

CHAP. XVI. were farmers and farmers' sons, fighting, as they believed, for their own cause. The progress from the rout of Wat Tyler to the victories of Naseby, and Worcester, and Dunbar, was made in less than three centuries. So rapid was the diffusion of ideas of freedom, so palpable was the advancement of popular intelligence, energy, and happiness, that to whole classes of enthusiasts the day of perfect enfranchisement seemed to have dawned; legislation, ceasing to be partial, was to be reformed and renewed on general principles, and the reign of justice and reason was about to begin. In the language of that age, Christ's kingdom on earth, his second coming, was at hand. Under the excitement of hopes, created by the rapid progress of liberty, which, to the common mind, was an inexplicable mystery, the blissful centuries of the millennium promised to open upon a favored world.

Political enfranchisements had been followed by the emancipation of knowledge. The powers of nature were freely examined; the merchants always tolerated or favored the pursuits of science. Galileo had been safe at Venice, and honored at Amsterdam or London. The method of free inquiry, applied to chemistry, had invented gunpowder and changed the manners of the feudal aristocracy; applied to geography, had discovered a hemisphere, and, circumnavigating the globe, made the theatre of commerce wide as the world; applied to the mechanical process of multiplying books, had brought the New Testament, in the vulgar tongue, within the reach of every class; applied to the rights of persons and property, had, for the English, built up a system of common law, and given securities to liberty in the interpretation of contracts. Under the guidance of Bacon, the inductive method, in its freedom, was

about to investigate the laws of the outward world, and reveal the wonders of divine Providence as displayed in the visible universe. CHAP.  
XVI.

On the continent of Europe, Descartes had already applied the method of observation and free inquiry to the study of morals and the mind; in England, Bacon hardly proceeded beyond the province of natural philosophy. He compared the subtile visions, in which the contemplative soul indulges, to the spider's web, and sneered at them as frivolous and empty; but the spider's web is essential to the spider's well-being, and for his neglect of the inner voice, Bacon paid the terrible penalty of a life disgraced by flattery, selfishness, and mean compliance. Freedom, as applied to morals, was cherished in England among the people, and therefore had its development in religion. The Anglo-Saxons were a religious people. Henry II. had as little superstitious regard for the Roman see as Henry VIII.; but the oppressed Anglo-Saxons looked for shelter to the church, and invoked the enthusiasm of Thomas a Becket to fetter the Norman tyrant and bind the Norman aristocracy in iron shackles. The enthusiast fell a victim to the church and to Anglo-Saxon liberty. If, from the day of his death, the hierarchy abandoned the cause of the people, that cause always found advocates in the inferior clergy; and Wickliffe did not fear to deny dominion to vice and to claim it for justice. The reformation appeared, and the inferior clergy, rising against Rome and against domestic tyranny, had a common faith and common political cause with the people. A body of the yeomanry, becoming Independents, planted Plymouth colony. The inferior gentry espoused Calvinism, and fled to Massachusetts. The popular movement of intellectual liberty is measured by ad-

Bacon  
de Aug.  
Sci. l. i.

CHAP. <sup>XVI.</sup> vances towards the liberty of prophesying, and the liberty of conscience.

The moment was arrived when the plebeian mind should make its boldest effort to escape from hereditary prejudices ; when the freedom of Bacon, the enthusiasm of Wickliffe, and the politics of Wat Tyler, were to gain the highest unity in a sect ; when a popular, and, therefore, in that age, a religious party, building upon a divine principle, should demand freedom of mind, purity of morals, and universal enfranchisement.

The sect had its birth in a period of intense public activity—when the heart of England was swelling with passions, and the public mind turbulent with factious leaders ; when zeal for reform was invading the church, subverting the throne, and repealing the privileges of feudalism ; when Presbyterians in every village were quarrelling with Anabaptists and Independents, and all with the Roman Catholics and the English church.

The sect could arise only among the common people, who had every thing to gain by its success, and the least to hazard by its failure. The privileged classes had no motive to develop a principle before which their privileges would crumble. “Poor mechanics,” said William Penn, “are wont to be God’s great ambassadors to mankind.” “He hath raised up a few despicable and illiterate men,” said the accomplished Barclay, “to dispense the more full glad tidings reserved for our age.” It was the comfort of the Quakers, that they received the truth from a simple sort of people, unmixed with the learning of schools ; and almost for the first time in the history of the world, a plebeian sect proceeded to the complete enfranchisement of mind, teaching the English yeomanry the same method

Penn. i.  
346, 353,  
ed. 1695.

Barclay,  
195, 301,  
302.

Penn. ii.  
467.

of free inquiry which Socrates had explained to the young men of Athens.

The simplicity of truth was restored by humble instruments, and its first messenger was of low degree. George Fox, the son of "righteous Christopher," a Lancashire weaver, by his mother descended from the stock of the martyrs, distinguished even in boyhood by frank inflexibility and deep religious feeling, became in early life an apprentice to a Nottingham shoemaker, who was also a landholder, and, like David, and Tamerlane, and Sixtus V., was set by his employer to watch sheep. The occupation was grateful to his mind, for its freedom, innocency, and solitude; and the years of earliest youth passed away in prayer and reading the Bible, frequent fasts, and the reveries of contemplative devotion. His boyish spirit yearned after excellence; and he was haunted by a vague desire of an unknown, illimitable good. In the most stormy period of the English democratic revolution, just as the Independents were beginning to make head successfully against the Presbyterians, when the impending ruin of royalty and the hierarchy made republicanism the doctrine of a party, and inspiration the faith of fanatics, the mind of Fox, as it revolved the question of human destiny, was agitated even to despair. The melancholy natural to youth heightened his anguish; abandoning his flocks and his shoemaker's bench, he nourished his inexplicable grief by retired meditations, and often walking solitary in the chase, sought in the gloom of the forest for a vision of God.

He questioned his life ; but his blameless life was ignorant of remorse. He went to many “ priests ” for comfort, but found no comfort from them. His misery urged him to visit London ; and there the religious



**CHAP.** feuds convinced him that the great professors were  
**XVI.** dark. He returned to the country, where some advised him to marry, others to join Cromwell's army; but his excited mind continued its conflicts; and, as other young men have done from love, his restless spirit drove him into the fields, where he walked many nights long by himself in misery too great to be declared. Yet at times a ray of heavenly joy beamed upon his soul, and he reposed, as it were, serenely on Abraham's bosom.

**1646.** He had been bred in the church of England. One day, the thought rose in his mind, that a man might be  
**Fox, 58.** bred at Oxford or Cambridge, and yet be unable to explain the great problem of existence. Again he reflected that God lives not in temples of brick and stone,  
**ib. 59.** but in the hearts of the living; and from the parish priest and the parish church, he turned to the dissenters. But among them he found the most experienced  
**ib. 60.** unable to reach his condition.

**1647.** Neither could the pursuit of wealth detain his mind from its struggle for fixed truth. His desires were those which wealth could not satisfy. A king's diet, palace, and attendance, had been to him as nothing. Rejecting "the changeable ways of religious" sects, the "brittle notions" and airy theories of philosophy,  
**Fox, 61.** he longed for "unchangeable truth," a firm foundation of morals in the soul. His inquiring mind was gently led along to principles of endless and eternal love; light dawned within him; and though the world was rocked by tempests of opinion, his secret and as yet  
**ib. 62.** unconscious belief was firmly stayed by the anchor of hope.

The strong mind of George Fox had already risen above the prejudices of sects. The greatest danger

remained. Liberty may be pushed to dissoluteness, and freedom is the fork in the road where the by-way leads to infidelity. One morning, as Fox sat silently by the fire, a cloud came over his mind; a baser instinct seemed to say, "All things come by nature;" and the elements and the stars oppressed his imagination with a vision of pantheism. But as he continued musing, a true voice arose within him, and said, "There is a living God." At once the clouds of skepticism rolled away; mind triumphed over matter, and the depths of conscience were cheered and irradiated by light from heaven. His soul enjoyed the sweetness of repose, and he came up in spirit from the agony of doubt into the paradise of contemplation.

CHAP.  
XVI.  
1648.

Having listened to the revelation which had been made to his soul, he thirsted for a reform in every branch of learning. The physician should quit the strife of words, and solve the appearances of nature by an intimate study of the higher laws of being. The priests, rejecting authority and giving up the trade in knowledge, should seek oracles of truth in the purity of conscience. The lawyers, abandoning their chicanery, should tell their clients plainly, that he who wrongs his neighbor does a wrong to himself. The heavenly-minded man was become a divine and a naturalist, and all of God Almighty's making.

Fox, 66,  
70.

Ibid.  
Preface,  
xxix.

Thus did the mind of George Fox arrive at the conclusion, that truth is to be sought by listening to the voice of God in the soul. Not the learning of the universities, not the Roman see, not the English church, not dissenters, not the whole outward world, can lead to a fixed rule of morality. The law in the heart must be received without prejudice, cherished without mixture, and obeyed without fear.

CHAP.  
XVI.

Such was the spontaneous wisdom by which he was guided. It was the clear light of reason, dawning as through a cloud. Confident that his name was written in the Lamb's book of life, he was borne, by an irrepressible impulse, to go forth into the briery and brambly world, and publish the glorious principles which had rescued him from despair and infidelity, and given him a clear perception of the immutable distinctions between right and wrong. At the very crisis when the house of commons was abolishing monarchy and the peerage, about two years and a half from the day when Cromwell went on his knees to kiss the hand of the young boy who was duke of York, the Lord, who sent George Fox into the world, forbade him to put off his hat to any, high or low; and he was required to *thee* and *thou* all men and women, without any respect to rich or poor, to great or small. The sound of the church bell in Nottingham, the home of his boyhood, struck to his heart; like Milton and Roger Williams, his soul abhorred the hireling ministry of diviners for money; and on the morning of a first-day, he was moved to go to the great steeple-house and cry against the idol. "When I came there," says Fox, "the people looked like fallow ground, and the priest, like a great lump of earth, stood in the pulpit above. He took for his text these words of Peter—'We have also a more sure word of prophecy;' and told the people, this was the Scriptures. Now, the Lord's power was so mighty upon me, and so strong in me, that I could not hold; but was made to cry out, 'Oh, no! it is not the Scriptures, it is the Spirit.'"

Life of James II. i. 29.  
Fox, 74.  
Fox, 76.

The principle contained a moral revolution. If it flattered self-love and fed enthusiasm, it also established absolute freedom of mind, trod every idolatry

under foot, and entered the strongest protest against the forms of a hierarchy. It was the principle for which Socrates died and Plato suffered; and now that Fox went forth to proclaim it among the people, he was every where resisted with angry vehemence, and priests and professors, magistrates and people, swelled like the raging waves of the sea. At the Lancaster sessions forty priests appeared against him at once. To the ambitious Presbyterians, it seemed as if hell were broke loose; and Fox, imprisoned and threatened with the gallows, still rebuked their bitterness as "exceeding rude and devilish," resisting and overcoming pride with unbending stubbornness. Possessed of vast ideas which he could not trace to their origin, a mystery to himself, like Cromwell and so many others who have exercised vast influence on society, he believed himself the special ward of a favoring Providence, and his doctrine the spontaneous expression of irresistible, intuitive truth. Nothing could daunt his enthusiasm. Cast into jail among felons, he claimed of the public tribunals a release only to continue his exertions; and as he rode about the country, the seed of God sparkled about him like innumerable sparks of fire. If cruelly beaten, or set in the stocks, or ridiculed as mad, he still proclaimed the oracles of the voice within him, and rapidly gained adherents among the country people. If driven from the church, he spoke in the open air; forced from the shelter of the humble alehouse, he slept without fear under a haystack, or watched among the furze. His fame increased; crowds gathered, like flocks of pigeons, to hear him. His frame in prayer is described as the most awful, living and reverent ever felt or seen; and his vigorous understanding, soon disciplined by clear convictions to natural dialectics, made

CHAP.  
XVI.

FOX, 73

IB. 145,  
146

IB. 280,  
281.

CHAP. XVI. him powerful in the public discussions to which he  
 ~~~~~ defied the world. A true witness, writing from knowl-  
 edge, and not report, declares that, by night and by
 day, by sea and by land, in every emergency of the
 nearest and most exercising nature, he was always in
 his place, and always a match for every service and
 occasion. By degrees "the hypocrites" feared to dis-
 pute with him; and the simplicity of his principle
 found such ready entrance among the people, that
 the priests trembled and scud as he drew near; "so
 that it was a dreadful thing to them, when it was told
 them, 'The man in leathern breeches is come.'"

Fox,
xxix.
100, 107,
103.

Fox, 306. The converts to his doctrine were chiefly among the
 yeomanry; and Quakers were compared to the butterflies
 that live in fells. It is the boast of Barclay, that the
 simplicity of truth was restored by weak instruments,
 and Penn exults that the message came without sus-
 picion of human wisdom. It was wonderful to witness
 the energy and the unity of mind and character which
 the strong perception of speculative truth imparted to
 the most illiterate mechanics; they delivered the ora-
 cles of conscience with fearless freedom and natural
 eloquence; and with happy and unconscious sagacity,
 spontaneously developed the system of moral truth,
 which, as they believed, existed as an incorruptible
 seed in every soul.

Barclay,
301.

Fox,
xxvii.

Ib. xx.

Every human being was embraced within the sphere
 of their benevolence. George Fox did not fail, by
 letter, to catechize Innocent XI. Ploughmen and
 milkmaids, becoming itinerant preachers, sounded the
 alarm throughout the world, and appealed to the con-
 sciences of Puritans and Cavaliers, of the Pope and the
 Grand Turk, of the negro and the savage. The plans
 of the Quakers designed no less than the establishment

Bewel,
570.

of a universal religion ; their apostles made their way to Rome and Jerusalem, to New England and Egypt ; and some were even moved to go towards China and Japan, and in search of the unknown realms of Prester John.

CHAP.
XVI.
FOX, 351.

The rise of the people called Quakers is one of the memorable events in the history of man. It marks the moment when intellectual freedom was claimed unconditionally by the people as an inalienable birth-right. To the masses in that age all reflection on politics and morals presented itself under a theological form. The Quaker doctrine is philosophy, summoned from the cloister, the college, and the saloon, and planted among the most despised of the people.

As poetry is older than critics, so philosophy is older than metaphysicians. The mysterious question of the purpose of our being is always before us and within us ; and the little child, as it begins to prattle, makes inquiries which the pride of learning cannot solve. The method of the solution adopted by the Quakers, was the natural consequence of the origin of their sect. The mind of George Fox had the highest systematic sagacity ; and his doctrine, developed and rendered illustrious by Barclay and Penn, was distinguished by its simplicity and unity. The Quaker has but one word, THE INNER LIGHT, the voice of God in the soul. That light is a reality, and therefore in its freedom the highest revelation of truth ; it is kindred with the Spirit of God, and therefore merits dominion as the guide to virtue ; it shines in every man's breast, and therefore joins the whole human race in the unity of equal rights. Intellectual freedom, the supremacy of mind, universal enfranchisement,—these three points include the whole of Quakerism, as far as it belongs to civil history.

Barclay,
Prop. 1,
2, 3, 10—
14, 4.
7—9, 15.
5, 6, 15.

Quakerism rests on the reality of the Inner Light,

CHAP. XVI. and its method of inquiry is absolute freedom applied
 to consciousness. The revelation of truth is immediate. It springs neither from tradition nor from the senses, but directly from the mind. No man comes to the knowledge of God but by the Spirit. "Each person," says Penn, "knows God from an infallible demonstration in himself, and not on the slender grounds of men's lo here interpretations, or lo there."—"The instinct of a Deity is so natural to man, that he can no more be without it, and be, than he can be without the most essential part of himself." As the eye opens, light enters; and the mind, as it looks in upon itself, receives moral truth by intuition. Others have sought wisdom by consulting the outward world, and, confounding consciousness with reflection, have trusted solely to the senses for the materials of thought; the Quaker, placing no dependence on the world of the senses, calls the soul home from its wanderings through the mazes of tradition and the wonders of the visible universe, bidding the vagrant sit down by its own fires to read the divine inscription on the heart. "Some seek truth in books, some in learned men, but what they seek for is in themselves."—"Man is an epitome of the world, and to be learned in it, we have only to read ourselves well."

Thus the method of the Quaker coincided with that of Descartes and his disciples, who founded their system on consciousness, and made the human mind the point of departure in philosophy. But Descartes plunged immediately into the confusion of hypothesis, drifting to sea to be wrecked among the barren waves of ontological speculation; and even Leibnitz, confident in his genius and learning, lost his way among the monads of creation and the preëstab-

lished harmonies in this best of all possible worlds ; the illiterate Quaker adhered strictly to his method ; like the timid navigators of old time, who carefully kept near the shore, he never ventured to sea except with the certain guidance of the cynosure in the heart. He was consistent, for he set no value on learning acquired in any other way. Tradition cannot enjoin a ceremony, still less establish a doctrine ; historical faith is as the old heavens that are to be wrapped up as a scroll.

CHAP.
XVI.

Penn, l.
130.
Ib. ii. 96.
Barclay,
30.

The constant standard of truth and goodness, says William Penn, is God in the conscience, and liberty of conscience is therefore the most sacred right, and the only avenue to religion. To restrain it is an invasion of the divine prerogative. It robs man of the use of the instinct of a Deity. To take away the great charter of freedom of conscience is to prevent the progress of society ; or rather, as the beneficent course of Providence cannot be checked, it is in men of the present generation but knotting a whipcord to lash their own posterity. The selfishness of bigotry is the same in every age ; the persecutors of to-day do not differ from those who inflamed the people of Athens to demand the death of Socrates. And the Quakers agreed with the philosophers of old, that freedom of mind, applied to the contemplation of God, is the end of life.

Penn, ii.
1, 2, 133.

140, 137.

130, 131.

l. 277.

But the Quaker asked for conscience more than security against penal legislation. He proclaimed an insurrection against every form of authority over conscience ; he resisted every attempt at the slavish subjection of the understanding. He had no reverence for the decrees of a university, a convocation, or a synod ; no fear of maledictions from the Vatican. Nor was this all. The Quaker denied the value of all learning,

CHAP. XVI. except that which the mind appropriates by its own intelligence. The lessons of tradition were no better than the prating of a parrot, and letter learning may be hurtful as well as helpful. When the mind is not free, the devil can accompany the zealot to his prayers and the doctor to his study. The soul is a living fountain of immortal truth; but a college is in itself no better than a cistern, in which water may stagnate, and truth to him who is learned and not wise, who knows words and not things, is of no more worth than a beautiful piece of sculpture to a Vandal. Let then the pedant plume himself in the belief, that erudition is wisdom; the waters of life, welling up from the soul, gush forth in spontaneous freedom; and the illiterate mechanic need not fear to rebuke the proudest rabbis of the university.

The Quaker equally claimed the emancipation of conscience from the terrors of superstition. He did not waken devotion by appeals to fear. He could not grow pale from dread of apparitions, or, like Grotius, establish his faith by the testimony of ghosts; and in an age when the English courts punished witchcraft with death, he rejected the delusion as having no warrant in the free experience of the soul. To him no spirit was created evil; the world began with innocence; and as God blessed the works of his hands, their natures and harmony magnified their Creator. God made no devil; for all that he made was good, without a jar in the whole frame. Discord proceeds from a perversion of powers, whose purpose was benevolent; and the spirit becomes evil only by a departure from truth.

The Quaker was equally warned against the delusions of self-love. His enemies, in derision, sneered at

Barclay,
30, 365,
368.

Sam.
Fisher.

Barclay.

Fox, 180.
394.
L

Penn,
399.

his idol as a delirious will-in-the-wisp, that claimed a heavenly descent for the offspring of earthly passions; and Fox, and Barclay, and Penn, earnestly denounced "the idolatry which hugs its own conceptions," mistaking the whimsies of a feverish brain for the calm revelations of truth. But "How shall I know," asks Penn, "that a man does not obtrude his own sense upon us as the infallible Spirit?" And he answers, "By the same Spirit." The Spirit witnesseth to our spirit. The Quaker repudiates the errors which the bigotry of sects, or the zeal of selfishness, or the delusion of the senses, has engrafted upon the unchanging principles of morals; and accepting intelligence wherever it exists, from the collision of parties and the strife in the world of opinions, he gathers together the universal truths which of necessity constitute the common creed of mankind. There is a natural sagacity of sympathy, which separates what belongs to the individual from that which commends itself to universal reason. Quakerism "is a most rational system." Judgment is to be made not from the rash and partial mind, but from the eternal light that never erred. The divine revelation is universal, and compels assent. The jarring reasonings of individuals have filled the world with controversies and debates; the true light pleads its excellency in every breast. Neither may the divine revelation be confounded with individual conscience; for the conscience of the individual follows judgment, and may be warped by self-love and debauched by lust. The Turk has no remorse for sensual indulgence, for he has defiled his judgment with a false opinion. The Papist, if he eat flesh in Lent, is reproved by the inward monitor, for that monitor is blinded by a false belief.

CHAP.
XVI.Barclay,
346.Penn, ii.
93.Barclay,
35.Boase,
ii. 498.Penn, ii.
94.Barclay,
55.Penn, i.
320.Barclay,
128-140.

CHAP. XVI. The true light is therefore not the reason of the individual, nor the conscience of the individual; it is the light of universal reason; the voice of universal conscience, "manifesting its own verity, in that it is confirmed and established by the experience of all men." Moreover it has the characteristic of necessity.

Barclay, 198. "It constrains even its adversaries to plead for it."

Ib. 129. "It never contradicts sound reason," and is the noblest and most certain rule, for "the divine revelation is so evident and clear of itself, that by its own evidence and clearness, it irresistibly forces the well-disposed understanding to assent."

Ib. 4.
Prop. II.

But would the Inner Light bend to the authority of written inspiration? The Bible was the religion of Protestants; had the Quaker a better guide? The Quaker believed in the unity of truth; there can be no contradiction between right reason and previous revelation, between just tradition and an enlightened conscience. But the Spirit is the criterion. The Spirit is the guide which leads into all truth. The Quaker reads the Scriptures with delight, but not with idolatry. It is his own soul which bears the valid witness that they are true. The letter is not the Spirit; the Bible is not religion, but a record of religion. "The Scriptures"—such are Barclay's words—"are a declaration of the fountain, and not the fountain itself."

Barclay,
5.

Penn., I.
396.

Far from rejecting Christianity, the Quaker insisted that he alone maintained its primitive simplicity. The skeptic forever vibrated between opinions; the Quaker was fixed even to dogmatism. The infidel rejected religion; the Quaker cherished it as his life. The scoffer pushed freedom to dissoluteness; the Quaker circumscribed freedom by obedience to truth.

George Fox and Voltaire both protested against priest-craft; Voltaire in behalf of the senses, Fox in behalf of the soul. To the Quakers Christianity is freedom. And they loved to remember, that the patriarchs were graziers, that the prophets were mechanics and shepherds, that John Baptist, the greatest of envoys, was clad in a rough garment of camel's hair. To them there was joy in the thought, that the brightest image of divinity on earth had been born in a manger, had been reared under the roof of a carpenter, had been content for himself and his guests with no greater luxury than barley loaves and fishes, and that the messengers of his choice had been rustics like themselves. Nor were they embarrassed by knotty points of theology. Their creed did not vary with the subtilties of verbal criticism; they revered the eternity of the Inner Light without regard to the arguments of grammarians or the use of the Greek article. Did philosophers and divines involve themselves in the mazes of liberty and fixed decrees, of foreknowledge and fate, the monitor in the Quaker's breast was to him the sufficient guaranty of freedom. Did men defend or reject the Trinity by learned dissertations and minute criticisms on various readings, he avoided the use of the word, and despised the jargon of disputants; but the idea of God with us, the incarnation of the Spirit, the union of Deity with humanity, was to the Quaker the dearest and the most sublime symbol of man's enfranchisement.

As a consequence of this faith, every avenue to truth was to be kept open. "Christ came not to extinguish, but to improve the heathen knowledge." "The difference between the philosophers of Greece and the Christian Quaker is rather in manifestation than in nature." He cries Stand, to every thought that

CHAP.
XVI.

Penn. I.
461.

Ibid. I.
387.

CHAP. XVI. knocks for entrance ; but welcomes it as a friend, if it gives the watchword. Exulting in the wonderful bond which admitted him to a communion with all the sons of light, of every nation and age, he rejected with scorn the school of Epicurus ; he had no sympathy with the follies of the skeptics, and esteemed even the mind of Aristotle too much bent upon the outward world. But Aristotle himself, in so far as he grounds philosophy on virtue and self-denial, and every contemplative sage, orators and philosophers, statesmen and divines, were gathered as a cloud of witnesses to the same unchanging truth. "The Inner Light," said Penn, "is the Domestic God of Pythagoras." The voice in the breast of George Fox, as he kept sheep on the hills of Nottingham, was the spirit which had been the good genius and guide of Socrates. Above all, the Christian Quaker delighted in "the divinely contemplative Plato," the "famous doctor of gentile theology," and recognized the unity of the Inner Light with the divine principle which dwelt with Plotinus. Quakerism is as old as humanity.

The Inner Light is to the Quaker not only the revelation of truth, but the guide of life and the oracle of duty. He demands the uniform predominance of the world of thought over the world of sensation. The blameless enthusiast, well aware of the narrow powers and natural infirmities of man, yet aims at perfection from sin ; and tolerating no compromise, demands the harmonious development of man's higher powers with the entire subjection of the base to the nobler instincts. The motives to conduct and its rule are, like truth, to be sought in the soul.

Thus the doctrine of disinterested virtue—the doctrine for which Guyon was persecuted and Fenelon

disgraced—the doctrine which tyrants condemn as CHAP. XVI. rebellion, and priests as heresy, was cherished by the Quaker as the foundation of morality. Self-denial he enforced with ascetic severity, yet never with ascetic superstition. He might array himself fantastically to express a truth by an apparent symbol, but he never wore sackcloth as an anchorite. “Thoughts of death and hell to keep out sin were to him no better than fig-leaves.” He would obey the imperative dictate of truth, even though the fires of hell were quenched. Barclay, 348. Virtue is happiness ; heaven is with her always.

The Quakers knew no superstitious vows of celibacy ; they favored no nunneries, monasteries, “or religious bedlams ;” but they demanded purity of life as essential to the welfare of society, and founded the institution of marriage on permanent affection, not on transient passion. Their matches, they were wont to say, are registered in heaven. Has a recent school of philosophy discovered in wars and pestilence, in vices and poverty, salutary checks on population ? The Quaker, confident of the supremacy of mind, feared no evil, though plagues and war should cease, and vice and poverty be banished by intelligent culture. Despotism favors the liberty of the senses ; and popular freedom rests on sanctity of morals. To the Quaker, licentiousness is the greatest bane of good order and good government.

The Quaker revered principles, not men, truth, not power, and therefore could not become the tool of ambition. “They are a people,” said Cromwell, “whom I cannot win with gifts, honors, offices, or places.” Fox, 189. Still less was the Quaker a slave to avarice. Seeking wisdom, and not the philosopher’s stone, to him the love of money for money’s sake was the basest of passions, Penn. I. 333. I. 445. and the rage of indefinite accumulation was “oppression

CHAP. to the poor, compelling those who have little to drudge
 XVI. like slaves." "That the sweat and tedious labor of the
 Penn. I. husbandmen, early and late, cold and hot, wet and dry,
 446. should be converted into the pleasure, ease and pastime
 of a small number of men, that the cart, the plough,
 the thresh, should be in inordinate severity laid upon
 nineteen parts of the land to feed the appetites of the
 Ibid. I. twentieth, is far from the appointment of the great
 446. Governor of the world." It is best, the people be neither
 Ibid. I. rich nor poor; for riches bring luxury, and luxury
 520. tyranny.
 Ibid. I. 522.

The supremacy of mind, forbidding the exercise of
 tyranny as a means of government, attempted a reforma-
 tion of society, but only by means addressed to con-
 science. The system contained a reform in education;
 it demanded that children should be brought up, not in
 the pride of caste; still less by methods of violence;
 but as men, by methods suited to the intelligence of
 humanity. Life should never be taken for an offence
 against property; nor the person imprisoned for debt.
 Penn. II. And the same train of reasoning led to a protest against
 276. war. The Quaker believed in the power of justice to
 protect itself; for himself, he renounced the use of the
 sword; and, aware that the vices of society might
 entail danger on a nation not imbued with his princi-
 ples, he did not absolutely deny to others the right of
 defence, but looked forward with hope to the period
 when the progress of civilization should realize the
 vision of a universal and enduring peace.
 Barclay, 540.

The supremacy of mind abrogated ceremonies; the
 Quaker regarded "the substance of things," and broke
 Prof. xv. up forms as the nests of superstition. Every Protestant
 refused the rosary and the censor; the Quaker rejects
 common prayer, and his adoration of God is the free

language of his soul. He remembers the sufferings of divine philanthropy, but uses neither wafer nor cup. He trains up his children to fear God, but never sprinkles them with baptismal water. He ceases from labor on the first day of the week, for the ease of creation, and not from reverence for a holiday. The Quaker is a pilgrim on earth, and life is but the ship that bears him to the haven; he mourns in his mind for the departure of friends by respecting their advice, taking care of their children, and loving those that they loved; and this seems better than outward emblems of sorrowing. His words are always freighted with innocence and truth; God, the searcher of hearts, is the witness to his sincerity; but kissing a book or lifting a hand is a superstitious vanity, and the sense of duty cannot be increased by an imprecation.

CHAP.
XVI.Penn., I.
387.

Fox, xv.

Penn., II.
31.Barclay,
653.

The Quaker distrusts the fine arts; they are so easily perverted to the purposes of superstition and the delight of the senses. Yet, when they are allied with virtue, and express the nobler sentiments, they are very sweet and refreshing. The comedy, where, of old, Aristophanes excited the Athenians to hate Socrates, and where the profligate gallants of the court of Charles II. assembled to hear the drollery of Nell Gwyn heap ridicule on the Quakers, was condemned without mercy. But the innocent diversions of society, the delights of rural life, the pursuits of science, the study of history, would not interfere with aspirations after God. For apparel, the Quaker dresses soberly, according to his condition and education; far from prescribing an unchanging fashion, he holds it "no vanity to use what the country naturally produces," and reproves nothing but that extravagance which "all sober men of all sorts readily grant to be evil."

Th. 366.

Th. 514.

Th. 507

CHAP.
XVI.

Like vanities of dress, the artifices of rhetoric were despised. Truth, it was said, is beautiful enough in plain clothes; and Penn, who was able to write exceedingly well, too often forgot that style is the gossamer on which the seeds of truth float through the world.

Careless of style, the Quakers employ for the propagation of truth no weapons but those of mind. They distributed tracts; but they would not sustain their doctrine by a hireling ministry. "A man thou hast corrupted to thy interests will never be faithful to them;" and an established church seemed "a cage for unclean birds." When a great high-priest, who was a doctor, had finished preaching from the words "Ho every one that thirsteth; come buy without money," George Fox "was moved of the Lord to say to him, 'Come down, thou deceiver! Dost thou bid people come to the waters of life freely, and yet thou takest three hundred pounds a year of them?' The Spirit is a free teacher."

Still less would the Quaker employ the methods of persecution. He was a zealous Protestant, but in the season of highest excitement, he pleaded for absolute liberty of worship, and sought to enfranchise the Roman Catholic himself. To persecute, he esteemed a confession of a bad cause; for the design that is of God has confidence in itself, and knows that any other will vanish. "Your cruelties are a confirmation, that truth is not on your side," was the remonstrance of a woman of Aberdeen to the magistrates who had imprisoned her husband.

In like manner, the Quaker never employed force to effect a social revolution or reform, but, refusing obedience to wrong, deprived tyranny of its instruments.

Barclay,
480, &c.

Bosse,
ii. 522.

The Quaker's loyalty, said the earl of Arrol at Aberdeen, is a qualified loyalty; it smells of rebellion: to which Alexander Skein, brother to a subsequent governor of West New Jersey, calmly answered, "I understand not loyalty, that is not qualified with the fear of God rather than of man." The Quaker never would pay tithes; never yielded to any human law which traversed his conscience. He did more: he resisted tyranny with all the moral energy of enthusiasm, bearing witness against blind obedience not less than against will worship. Believing in the supremacy of mind over matter, he sought no control over the government except by intelligence; and therefore he needed to hold the right of free discussion inviolably sacred. He never consented to the slightest compromise of this freedom. Wherever there was evil and oppression, the Quaker claimed the right to be present with a remonstrance. He delivered his opinions freely before Cromwell and Charles II., in face of the gallows in New England, in the streets of London, before the English commons. The heaviest penalties, that bigotry could devise, never induced him to swerve a hair's breadth from his purpose of speaking freely and publicly. This was his method of resisting tyranny. Algernon Sydney, who took money from Louis XIV., like Brutus, would have plunged a dagger into the breast of a tyrant; the Quaker, without a bribe, resisted tyranny by appeals to the monitor in the tyrant's breast, and he labored incessantly to advance reform by enlightening the public conscience. Any other method of revolution he believed an impossibility. Government—such was his belief—will always be as the people are; and a people imbued with the love of liberty, create the irresistible necessity of a free gov-

CHAP.
XVI.

1676.

Besse,
ii. 512.Ibid. ii.
521.

Barclay,

CHAP. ernment. He sought no revolution, but that which
 XVI. followed as the consequence of the public intelligence.
 Such revolutions were inevitable. "Though men
 consider it not, the Lord rules and overrules in the
 Penn. i. kingdoms of men." Any other revolution would be
 125. transient. The Quakers submitted to the restora-
 tion of Charles II., as the best arrangement for the
 crisis; confident that time and truth would lead to a
 happier issue. "The best frame, in ill hands, can do
 nothing that is great and good. Governments, like
 clocks, go from the motion imparted to them; they
 depend on men, rather than men on government. Let
 Penn. in men be good, the government cannot be bad; if it be
 Proud, i. 198. ill, they will cure it." Even with absolute power, an
 Antonine or an Alfred could not make bricks without
 Penn. ii. straw, nor the sword do more than substitute one tyr-
 536. anny for another.

The moral power of ideas is constantly effecting
 changes and improvement in society. No Quaker book
 has a trace of skepticism on man's capacity for progress.
 Such is the force of an honest profession of truth, the
 humblest person, if single-minded and firm, "can shake
 all the country for ten miles round." The integrity
 Penn. i. of the Inner Light is an invincible power. It is a
 347, 348. power which never changes; such was the message of
 Fox to the pope, the kings, and nobles of all sorts; it
 fathoms the world, and throws down that which is con-
 Penn. 176. trary to it. It quenches fire; it daunts wild beasts;
 it turns aside the edge of the sword; it outfaces in-
 struments of cruelty; it converts executioners. It was
 remembered with exultation, that the enfranchisements
 of Christianity were the result of faith, and not of the
 sword; and that truth in its simplicity, radiating from
 the foot of the cross, has filled a world of sensualists

with astonishment, overthrown their altars, discredited their oracles, infused itself into the soul of the multitude, invaded the court, risen superior to armies, and led magistrates and priests, statesmen and generals, in its train, as the trophies of its strength exerted in its freedom. CHAP. XVI.

Thus the Quaker was cheered by a firm belief in the progress of society. Even Aristotle, so many centuries ago, recognized the upward tendency in human affairs; a Jewish contemporary of Barclay declared that progress to be a tendency towards popular power; George Fox perceived that the Lord's hand was against kings; and one day, on the hills of Yorkshire, he had a vision, that he was but beginning the glorious work of God in the earth; that his followers would in time become as numerous as motes in the sunbeams; and that the party of humanity would gather the whole human race in one sheepfold. Neither art, wisdom, nor violence, said Barclay, conscious of the vitality of truth, shall quench the little spark that hath appeared. The atheist—such was the common opinion of the Quakers—the atheist alone denies progress, and says in his heart, All things continue as they were in the beginning. Penn, L. 347, 348.

If, from the rules of private morality, we turn to political institutions, here also the principle of the Quaker is the Inner Light. He acquiesces in any established government which shall build its laws upon the declarations of "universal reason." But government is a part of his religion; and the religion that declares "every man enlightened by the divine light," establishes government on universal and equal enfranchisement. Fox, 175

"Not one of mankind," says Penn, "is exempted from this illumination."—"God discovers himself to Bacon, II. 523.

upon the declarations of "universal reason." But government is a part of his religion; and the religion that declares "every man enlightened by the divine light," establishes government on universal and equal enfranchisement. Penn, L. 302.

from this illumination."—"God discovers himself to Fox, 72.

from this illumination."—"God discovers himself to Penn, L. 300.

CHAP. every man." He is in every breast, in the ignorant
XVI.

drudge as well as in Locke or Leibnitz. Every moral truth exists in every man's and woman's heart, as an incorruptible seed; the ground may be barren, but the seed is certainly there. Every man is a little sovereign

to himself. Freedom is as old as reason itself, which is given to all, constant and eternal, the same to all nations. The Quaker is no materialist; truth and conscience are not in the laws of countries; they are not one thing at Rome, and another at Athens; they cannot be abrogated by senate or people. Freedom and the right of property were in the world before

Protestantism; they came not with Luther; they do not vanish with Calvin; they are the common privilege of mankind.

The Bible enfranchises those only to whom it is carried; Christianity, those only to whom it is made known; the creed of a sect, those only within its narrow pale. The Quaker, resting his system on the Inner Light, redeems the race. Of those who believe in the necessity of faith in an outward religion, some have cherished the mild superstition, that, in the hour of dissolution, an angel is sent from heaven "to manifest the doctrine of Christ's passion;" the Quaker believes that the heavenly messenger is always present in the breast of every man, ready to counsel the willing listener.

Man is equal to his fellow-man. No class can, "by long apprenticeship" or a prelate's breath, by wearing black or shaving the crown, obtain a monopoly of moral truth. There is no distinction of clergy and laity.

The Inner Light sheds its blessings on the whole human race; it knows no distinction of sex. It redeems woman by the dignity of her moral nature, and claims for her the equal culture and free exercise of her

endowments. As the human race ascends the steep acclivity of improvement, the Quaker cherishes woman as the equal companion of the journey.

CHAP.
XVI.

Fox, 59;
Barclay,
189, 305,
312.

Men are equal. The Quaker knows no abiding distinction of king and subject. The universality of the Inner Light "brings crowns to the dust, and lays them low and level with the earth." "The Lord will be king; there will be no crowns but to such as obey his will." With God a thousand years are indeed as one day; yet judgment on tyrants will come at last, and may come ere long.

Fox, 175.

Benson, II.
522.

Every man has God in the conscience; the Quaker knows no distinction of castes. He bows to God, and not to his fellow-servant. "All men are alike by creation," says Barclay; and it is slavish fear which reverences others as gods. "I am a man," says every Quaker, and refuses homage. The most favored of his race, even though endowed with the gifts and glories of an angel, he would regard but as his fellow-servant and his brother. The feudal nobility still nourished its pride. "Nothing," says Penn, "nothing of man's folly has less show of reason to palliate it." "What a pother has this noble blood made in the world!" "But men of blood have no marks of honor stamp'd upon them by nature." The Quaker scorned to take off his hat to any of them; he held himself the peer of the proudest peer in Christendom. With the Eastern despotism of Diocletian, Europe had learned the hyperboles of Eastern adulation; but "My Lord Peter and My Lord Paul are not to be found in the Bible; My Lord Solon or Lord Scipio is not to be read in Greek or Latin stories." And the Quaker returned to the simplicity of Gracchus and Demosthenes, though "Thee and Thou proved a sore cut to

Barclay,
541.
Ib. 504.

Ib. 505

I. 430.

I. 417.

Fox.

CHAP. XVI. proud flesh." This was not done for want of courtesy ;
 Penn, in for "No religion," says Penn, "destroys courtesy, civi-
 son, i. 57. ty and kindness ;" but the Quaker knew that the hat
 Penn, ii. was the symbol of enfranchisement, and was worn by
 477 the Norman nobility in presence of their king, as a
 proclamation that they were peers of the realm, equal
 with their sovereign. The Quaker historian, narrating
 Sewel, the elevation of Cromwell, does not fail to tell, that, on
 72. assuming the power of a prince, "he covered himself,
 all the others remaining uncovered." George Fox,
 scorning the faint-hearted republicans whose zeal melt-
 ed in the sunshine of favor, refused to "eat a bit of the
 Protector's bread, or drink a sup of his drink ;" and took
 care to wear the hat in his presence. After more than a
 century and a quarter, when, in the first great scene of
 1789. the French revolution, at the opening of the states
 May general, the clergy and the nobility, according to
 5. established privilege, had, like the king, put on their
 square caps and plumed bonnets, the representatives
 of the commons, imitating the Quaker precedent, cov-
 ered their heads also with their hats, that had neither
 plumes nor ribands ; thus explaining to the Bourbons
 the meaning of the Quaker symbol.

George Fox declares, that he saw his doctrine in the
 pure openings of light without the help of any man.
 But the spirit that made to him the revelation was the
 invisible spirit of the age, rendered wise by tradition,
 and in a season of revolution excited by the enthusi-
 asm of liberty and religion. There is a close analogy
 between the popular revolutions of France and Eng-
 land. In France, the same symbols and principles re-
 appeared, but more rapidly, and on a wider theatre.
 The elements of humanity are always the same ; the
 Inner Light dawns upon every nation, and is the same

in every age ; and the French revolution was a result of the same principles as those of George Fox, gaining dominion over the mind of Europe. They are expressed in the burning and often profound eloquence of Rousseau ; they reappear in the masculine philosophy of Kant. The professor of Königsberg, like Fox, and Barclay, and Penn, derived philosophy from the voice in the soul ; like them, he made the oracle within the categorical rule of practical morality, the motive to disinterested virtue ; like them, he esteemed the Inner Light, which discerns universal and necessary truths, an element of humanity ; and therefore his philosophy claims for humanity the right of ever-renewed progress and reform. If the Quakers disguised their doctrine under the form of theology, Kant concealed it for a season under the jargon of a nervous but unusual diction. But Schiller has reproduced the great idea in beautiful verse ; Chateaubriand avows himself its advocate ; Coleridge has repeated the doctrine in misty language. It beams through the poetry of Lamartine¹ and Wordsworth ; while, in the country of beautiful prose, the eloquent Cousin,² listening to the same eternal voice which connects humanity with universal reason, has gained a wide fame for "the divine principle," and, in explaining the harmony between that light and the light of Christianity, has often uncon-

CHAP.
XVI.

¹ "L'autre éternel, sublime, universel, immense,
Est le langage inné de toute intelligence.
C'est un verbe vivant dans le cœur entendu."

Lamartine to De Lamennais.

² *Fragments Phil.* 2^d ed. p. viii. Cette lumière intérieure, &c. Compare p. xxiii.—xxv. and xlv. and xlv. P. xlix. is almost word for word in the Quaker writers ; except that Cousin uses the word

Raison, for the Inner Light. And on the Trinity, p. xlv. and p. 19, &c., in *Cours de l'Histoire de la Philosophie*, 5^e Leçon, there is a reproduction of the view of Penn, in Innocence with her open Face. Penn and Cousin insist the view is orthodox. Lingard endorses Penn's orthodoxy. So too, 2^e Leçon, p. 17, un père, le dernier des pères, &c. &c., explains why George Fox excelled in philosophy.

CHAP. sciously borrowed the language¹ and employed the
 XVI. arguments of Barclay and of Penn.

Every where in Europe the Quakers were exposed to persecution. Their seriousness was called melancholy enthusiasm; their boldness, self-will; their frugality, covetousness; their freedom, infidelity; their conscience, rebellion. In England, the general laws against dissenters, the statute against Papists, and special statutes against themselves, put them at the mercy of every malignant informer. They were hated by the church and the Presbyterians, by the peers and the king. The codes of that day describe them as "an abominable sect;" "their principles as inconsistent with any kind of government." During the Long Parliament, in the time of the protectorate, at the restoration, in England, in New England, in the Dutch colony of New Netherlands, every where, and for long, wearisome years, they were exposed to perpetual dangers and griefs. They were whipped, crowded into jail among felons, kept in dungeons foul and gloomy beyond imagination; fined, exiled, sold into colonial bondage. They bore the brunt of the persecution of the dissenters. Imprisoned in winter without fire, they perished from frost. Some were victims to the barbarous cruelty of the jailer; twice George Fox

Sewel,
534.

¹ "La vérité absolue est donc une révélation même de Dieu à l'homme par Dieu lui-même; et comme la vérité absolue est perpétuellement aperçue par l'homme et éclaire tout homme à son entrée dans la vie, il suit que la vérité absolue est une révélation perpétuelle et universelle de Dieu à l'homme." Cousin, *Fragmens Phil.* 2^{de} éd. p. 310, 311. Now Barclay. "The object of the saints' faith is the same in all ages." "The testimony of the Spirit is that alone by

which the true knowledge of God hath been, is, and can be only revealed." "This divine revelation forces assent." "It enlighteneth every man that cometh into the world." Barclay, *Prop.* ii. and v "There is no true knowledge of God, but that which is revealed inwardly by his own Spirit." Barclay, p. 20. On this point I can see no difference between Cousin and the Quakers. I have already quoted Penn's assertion of their agreement with Plotinus and Plato.

narrowly escaped death. The despised people braved every danger to continue their assemblies. Haled out by violence, they returned. When their meeting-houses were torn down, they gathered openly on the ruins. They could not be dissolved by armed men; and when their opposers took shovels to throw rubbish on them, they stood close together, "willing to have been buried alive, witnessing for the Lord." They were exceeding great sufferers for their profession, and in some cases treated worse than the worst of the race. They were as poor sheep appointed to the slaughter, and as a people killed all day long.

CHAP.
XVI.Barclay,
483, 484,
556.Fox,
Pref. vii.
10.

Is it strange that they looked beyond the Atlantic for a refuge? When New Netherlands was recovered from the United Provinces, Berkeley and Carteret entered again into possession of their province. For Berkeley, already a very old man, the visions of colonial fortune had not been realized; there was nothing before him but contests for quitrents with settlers resolved on governing themselves; and in March, 1674, a few months after the return of George Fox from his pilgrimage to all our colonies from Carolina to Rhode Island, the haughty peer, for a thousand pounds, sold the moiety of New Jersey to Quakers, to John Fenwick in trust for Edward Byllinge and his assigns. A dispute between Byllinge and Fenwick was allayed by the benevolent decision of William Penn; and in 1675, Fenwick, with a large company and several families, set sail in the Griffith for the asylum of Friends. Ascending the Delaware, he landed on a pleasant, fertile spot, and as the outward world easily takes the hues of men's minds, he called the place Salem, for it seemed the dwelling-place of peace.

1674.
Mar.
18.

1675.

Byllinge was embarrassed in his fortunes; Gawen

CHAP. XVI. Laurie, William Penn, and Nicholas Lucas, became his assigns as trustees for his creditors, and shares in the undivided moiety of New Jersey were offered for sale. As an affair of property, it was like our land companies of to-day; except that in those days speculators bought acres by the hundred thousand. But the Quakers wished more; they desired to possess a territory where they could institute a government; and Carteret readily agreed to a division, for his partners left him the best of the bargain. And now that the men who had gone about to turn the world upside down, were possessed of a province, what system of politics would they adopt? The light, that lighteth every man, shone brightly in the Pilgrims of Plymouth, the Calvinists of Hooker and Haynes, and in the freemen of Virginia, when the transient abolition of monarchy compelled even royalists to look from the throne to a surer guide in the heart; the Quakers, following the same exalted instincts, could but renew the fundamental legislation of the men of the Mayflower, of Hartford, and of the Old Dominion. "The CONCESSIONS are such as Friends approve of;" this is the message of the Quaker proprietaries in England to the few who had emigrated: "We lay a foundation for after ages to understand their liberty as Christians and as men, that they may not be brought into bondage, but by their own consent; for we put THE POWER IN THE PEOPLE." And on the third day of March, 1677, the charter, or fundamental laws, of West New Jersey were perfected and published. They are written with almost as much method as our present constitutions, and recognize the principle of democratic equality as unconditionally and universally as the Quaker society itself.

1676.
Aug.
26.

1677.
Mar.
3.

No man, nor number of men, hath power over conscience. No person shall at any time, in any ways, or on any pretence, be called in question, or in the least punished or hurt for opinion in religion.—The general assembly shall be chosen, not by the confused way of cries and voices, but by the balloting box.—Every man is capable to choose or be chosen.—The electors shall give their respective deputies instructions at large, which these, in their turn, by indentures under hand and seal, shall bind themselves to obey. The disobedient deputy may be questioned before the assembly by any one of his electors. Each member is to be allowed one shilling a day, to be paid by his immediate constituents, “that he may be known as the servant of the people.”—The executive power rested with ten commissioners, to be appointed by the assembly; justices and constables were chosen directly by the people; the judges, appointed by the general assembly, retained office but two years at the most, and sat in the courts but as assistants to the jury. In the twelve men, and in them only, judgment resides; in them and in the general assembly rests discretion as to punishments. “All and every person in the province, shall, by the help of the Lord and these fundamentals, be free from oppression and slavery.” No man can be imprisoned for debt. Courts were to be managed without the necessity of an attorney or counsellor. The native was protected against encroachments; the helpless orphan educated by the state.

Immediately the English Quakers, with the good wishes of Charles II., flocked to West New Jersey, and commissioners, possessing a temporary authority, were sent to administer affairs, till a popular government could be instituted. When the vessel, freighted with

CHAP.
XVI.1677.
Smith,
598-599.

81.

- CHAP. the men of peace, arrived in America, Andros, the
 XVI. governor of New York, claimed jurisdiction over their
 1677. territory. The claim, which, on the feudal system, was perhaps a just one, was compromised as a present question, and referred for decision to England. Mean-time lands were purchased of the Indians; the planters numbered nearly four hundred souls; and already at Burlington, under a tent covered with sail-cloth, the Quakers began to hold religious meetings.¹ The Indian kings also gathered in council under the shades of the
 1678. Burlington forests, and declared their joy at the prospect of permanent peace. "You are our brothers," said the sachems, "and we will live like brothers with you. We will have a broad path for you and us to walk in. If an Englishman falls asleep in this path, the Indian shall pass him by, and say, He is an Englishman; he is asleep; let him alone. The path shall be plain; there shall not be in it a stump to hurt the feet."²

Every thing augured success to the colony, but that, at Newcastle, the agent of the duke of York, who still possessed Delaware, exacted customs of the ships ascending to New Jersey. It may have been honestly believed, that his jurisdiction included the whole river; when urgent remonstrances were made, the duke freely referred the question to a disinterested commission.

The argument of the Quakers breathes the spirit of Anglo-Saxons.

- 1678 "An express grant of the powers of government
 to
 1680. induced us to buy the moiety of New Jersey. If we could not assure people of an easy, free, and safe government, liberty of conscience, and an inviolable pos-

¹ Haz. Reg. vi. 182.

² Smith's New Jersey, 100.

session of their civil rights and freedoms, a mere wilderness would be no encouragement. It were madness to leave a free country to plant a wilderness, and give another person an absolute title to tax us at will.

CHAP.
XVI.

1678
to
1680.

“The customs imposed by the government of New York are not a burden only, but a wrong. By what right are we thus used? The king of England cannot take his subjects’ goods without their consent. This is a home-born right, declared to be law by divers statutes.

“To give up the right of making laws is to change the government and resign ourselves to the will of another. The land belongs to the natives; of the duke we buy nothing but the right of an undisturbed colonizing, with the expectation of some increase of the freedoms enjoyed in our native country. We have not lost English liberty by leaving England.

“The tax is a surprise on the planter: it is paying for the same thing twice over. Custom, levied upon planting, is unprecedented. Besides, there is no end of this power. By this precedent, we are assessed without law, and excluded from our English right of common assent to taxes. We can call nothing our own, but are tenants at will, not for the soil only, but for our personal estates. Such conduct has destroyed government, but never raised one to true greatness.

“Lastly, to exact such untermiated tax from English planters, and to continue it after so many repeated complaints, will be the greatest evidence of a design to introduce, if the crown should ever devolve upon the duke, an unlimited government in England.”

Such was the argument of the Quakers; and it was triumphant. Sir William Jones decided that, as the

CHAP. grant from the duke of York had reserved no profit or
 XVI. jurisdiction, the tax was illegal. The duke of York
 1680. promptly acquiesced in the decision, and in a new
 Aug. indenture relinquished every claim to the territory and
 6. the government.

After such trials, vicissitudes, and success, the light of peace dawned upon West New Jersey ; and in November, 1681, Jennings, acting as governor for the proprietaries, convened the first legislative assembly of the representatives of men who said *thee* and *thou* to all the world, and wore their hats in presence of beggar or king. Their first measures established their rights by an act of fundamental legislation, and in the spirit of "the Concessions," they framed their government on the basis of humanity. Neither faith, nor wealth, nor race, was respected. They met in the wilderness as men, and founded society on equal rights. What shall we relate of a community thus organized ? That they multiplied, and were happy ? that they levied for the expenses of their commonwealth two hundred pounds, to be paid in corn, or skins, or money ? that they voted the governor a salary of twenty pounds ? that they prohibited the sale of ardent spirits to the Indians ? that they forbade imprisonment for debt ? The formation of this little government of a few hundred souls, that soon increased to thousands, is one of the most beautiful incidents in the history of the age. West New Jersey had been a fit home for Fenelon. The people rejoiced under the reign of God, confident that he would beautify the meek with salvation. A loving correspondence began with Friends in England ; and from the fathers of the sect, frequent messages were received. " Friends that are gone to make plantations
 1681, in America, keep the plantations in your hearts, that
 1682.

your own vines and lilies be not hurt. You that are governors and judges, eyes you should be to the blind, feet to the lame, and fathers to the poor; that you may gain the blessing of those who are ready to perish, and cause the widow's heart to sing for gladness. If you rejoice because your hand hath gotten much; if you say to fine gold, Thou art my confidence,—you will have denied the God that is above. The Lord is ruler among nations; he will crown his people with dominion.”¹

CHAP.
XVI.
1682.

In the midst of this innocent tranquillity, Byllinge, the original grantee of Berkeley, claimed as proprietary the right of nominating the deputy-governor. The usurpation was resisted. Byllinge grew importunate; and the Quakers, setting a new precedent, amended their constitutions, according to the prescribed method, and then elected a governor. Every thing went well in West New Jersey; this method of reform was the advice of WILLIAM PENN.

For in the mean time William Penn had become deeply interested in the progress of civilization on the Delaware. In company with eleven others, he had purchased East New Jersey of the heirs of Carteret. But of the eastern moiety of New Jersey, peopled chiefly by Puritans, the history is intimately connected with that of New York. The line that divides East and West New Jersey, is the line where the influence of the humane society of Friends is merged in that of Puritanism.

It was for the grant of a territory on the opposite bank of the Delaware, that William Penn, in June, 1680, became a suitor.² His father, distinguished in English

1680.
June.

¹ Fox and Burnyeat, in Hazard's Reg. vi. 184—200.

² Proceedings of the privy council, in Votes and Proceedings of the

CHAP. history by the conquest of Jamaica, and by his con-
 XVI. duct, discretion, and courage, in the signal battle against
 ~~~~~  
 1680. the Dutch in 1665, had bequeathed to his son a claim  
 on the government for sixteen thousand pounds. Mas-  
 sachusetts had bought Maine for a little more than one  
 thousand pounds; then, and long afterwards, colonial  
 property was lightly esteemed; and to the prodigal  
 Charles II., always embarrassed for money, the grant  
 of a province seemed the easiest mode of cancelling  
 the debt. William Penn had powerful friends in North,  
 Halifax, and Sunderland;<sup>1</sup> and a pledge given to his  
 father on his death-bed, obtained for him the assured  
 friendship of the duke of York.

Sustained by such friends, and pursuing his object  
 with enthusiasm, William Penn triumphed over "the  
 great opposition"<sup>2</sup> which he encountered, and ob-  
 tained a charter for the territory, which received from  
 Charles II. the name of Pennsylvania, and which was  
 to include three degrees of latitude by five degrees of  
 longitude west from the Delaware. The duke of York  
 desired to retain the three lower counties, that is, the  
 state of Delaware, as an appendage to New York;  
 Pennsylvania was, therefore, in that direction, limited  
 by a circle drawn at twelve miles' distance from New-  
 castle, northward and westward, unto the beginning of  
 the fortieth degree of latitude. This impossible boun-  
 dary received the assent of the agents of the duke of  
 York and Lord Baltimore.

The charter, as originally drawn up by William  
 Penn himself, conceded powers of government analo-  
 gous to those of the charter for Maryland. That no

House of Representatives in Penn-  
 sylvania; and in Haz. Hist. Reg.  
 i. 269, 271, 273, 274. More full than  
 Chalmers, 635, 655, &c. Proud.

<sup>1</sup> Penn, in *Memoirs of Pennsyl-  
 vania Historical Society*, ii. 244.

<sup>2</sup> *Ibid.* i. 205.

clause might be at variance with English law, it was revised by the attorney-general, and amended by Lord North, who inserted clauses to guard the sovereignty of the king and the commercial supremacy of parliament. The acts of the future colonial legislature were to be submitted to the king and council, who had power to annul them if contrary to English law. The power of levying customs was expressly reserved to parliament. The bishop of London, quite unnecessarily, claimed security for the English church. The people of the country were to be safe against taxation, except by the provincial assembly or the English parliament. In other respects the usual franchises of a feudal proprietary were conceded.

CHAP.  
XVI.  
1681.  
Jan.

At length, writes William Penn, "After many waitings, watchings, solicitings, and disputes in council, my country was confirmed to me under the great seal of England. God will bless and make it the seed of a nation. I shall have a tender care of the government, that it be well laid at first."

1681.  
Mar.  
5.

Pennsylvania included the principal settlements of the Swedes; and patents for land had been made to Dutch and English by the Dutch West India Company, and afterwards by the duke of York. The royal proclamation soon announced to all the inhabitants of the province, that William Penn, their absolute proprietary, was invested with all powers and preëminences necessary for the government. The proprietary also issued his proclamation to his vassals and subjects. It was in the following words:—

April  
2.

"MY FRIENDS: I wish you all happiness here and hereafter. These are to lett you know, that it hath pleased God in his Providence to cast you within my Lott and Care. It is a business, that though, I never

CHAP. XVI. undertook before, yet God has given me an understanding of my duty and an honest minde to doe it  
 1681. uprightly. I hope you will not be troubled at your chainge and the king's choice ; for you are now fixt, at the mercy of no Governour that comes to make his fortune great. You shall be governed by laws of your own makeing, and live a free, and if you will, a sober and industrious People. I shall not usurp the right of any, or oppress his person. God has furnisht me with a better resolution, and has given me his grace to keep it. In short, whatever sober and free men can reasonably desire for the security and improvement of their own happiness, I shall heartily comply with—I beseech God to direct you in the way of righteousness, and therein prosper you and your children after you. I am your true Friend,

WM. PENN.

*London, 8th of the Month called April, 1681.”<sup>1</sup>*

Such were the pledges of the Quaker sovereign on assuming the government ; it is the duty of history to state, that, during his long reign, these pledges were redeemed. He never refused the free men of Pennsylvania a reasonable desire.

May. With this letter to the inhabitants, young Markham immediately<sup>2</sup> sailed as agent of the proprietary. He was to govern in harmony with law, and the people were requested to continue the established system of revenue till Penn himself could reach America. During  
 July 11. the summer, the conditions for the sale of lands were reciprocally ratified by Penn and a company of adventurers. The enterprise of planting a province had been vast for a man of large fortunes ; Penn's whole

<sup>1</sup> Haz. Reg. i. 377.

<sup>2</sup> See the careful statement in the Memoir on Penn's Treaty with

the Indians, by P. S. Du Ponceau and J. Francis Fisher, p. 14.

estate had yielded, when unencumbered, a revenue of fifteen hundred pounds; but in his zeal to rescue his suffering brethren from persecution, he had, by heavy expenses in courts of law and at court, impaired his resources, which he might hope to retrieve from the sale of domains. Would he sacrifice his duty as a man to his emoluments as a sovereign? In August, a company of traders offered six thousand pounds and an annual revenue for a monopoly of the Indian traffic between the Delaware and the Susquehannah. To a father of a family, in straitened circumstances, the temptation was great; but Penn was bound, by his religion, to equal laws, and he rebuked the cupidity of monopoly. "I will not abuse the love of God,"—such was his decision,—“nor act unworthy of his Providence, by defiling what came to me clean. No; let the Lord guide me by his wisdom, to honor his name and serve his truth and people, that an example and a standard may be set up to the nations;” and he adds to a Friend, “There may be room there, though not here, for the Holy Experiment.”<sup>1</sup>

With a company of emigrants, full instructions were forwarded respecting lands and planting a city. Penn disliked the crowded towns of the old world; he desired the city might be so planted with gardens round each house, as to form “a green country town.”<sup>2</sup> And almost at the same time he addressed a letter to the native children of the American forest, declaring himself and them responsible to one and the same God, having the same law written in their hearts, and alike bound to love, and help, and do good to one another.<sup>3</sup>

Meantime, the mind of Penn was deeply agitated by thoughts on the government which he should estab-

CHAP.  
XVI.

1681.

Sept.  
30.

Oct.  
18.

<sup>1</sup> Mem. P. H. S. i. 205, and Proud, i. 169.

<sup>2</sup> Ibid. ii. 220.

<sup>3</sup> Proud, i. 195, 196.

CHAP. lish. To him government was a part of religion itself,  
XVI.  
an emanation of divine power, capable of kindness,

1681. goodness, and charity; having an opportunity of benevolent care for men of the highest attainments, even more than the office of correcting evil-doers; and, without imposing one uniform model on all the world, without denying that time, place, and emergencies may bring with them a necessity or an excuse for monarchical, or even aristocratical institutions, he believed "any government to be free to the people, where the laws rule, and the people are a party to the laws." That Penn was superior to avarice, was clear from his lavish expenditures to relieve the imprisoned; that he had risen above ambition, appeared from his preference of the despised Quakers to the career of high advancement in the court of Charles II. But he loved to do good; and could passionate philanthropy resign absolute power, apparently so favorable to the exercise of vast benevolence? Here, and here only, Penn's spirit was severely tried;<sup>1</sup> but he resisted the temptation.

1682. "I purpose,"—such was his prompt decision—"for the  
May  
5 matters of liberty I purpose, that which is extraordinary—to leave myself and successors no power of doing mischief; that the will of one man may not hinder the good of a whole country."<sup>2</sup>—"It is the great end of government to support power in reverence with the people, and to secure the people from the abuse of power; for liberty without obedience is confusion, and obedience without liberty is slavery." Taking counsel, therefore, from all sides, listening to the theories of Algernon Sydney, whose Roman pride was ever

<sup>1</sup> Penn's letter to Algernon Sydney; Penn's letter, in Proud, i. 210. parted with." Compare Markham, in Chalmers.

<sup>2</sup> "I never felt judgment for the power I kept, but trouble for what I <sup>2</sup> Memoirs, P. H. S. i. 203, and Proud, i. 199.

faithful to the good old republican cause, and deriving still better guidance from the suavity and humanity of his Quaker brethren, Penn published a frame of government, not as an established constitution, but as a system<sup>1</sup> to be referred to the freemen in Pennsylvania.

CHAP.  
XVI.

1682.  
May 5.

About the same time, a free society of traders was organized. "It is a very unusual society,"—such was their advertisement,—“for it is an absolute free one, and in a free country; every one may be concerned that will, and yet have the same liberty of private traf-  
fique, as though there were no society at all.”<sup>2</sup>

May  
29.

Thus the government and commercial prosperity of the colony were founded in freedom; to perfect his territory, Penn desired to possess the bay, the river, and the shore of the Delaware to the ocean. The territories or three lower counties, now forming the state of Delaware, were in possession of the duke of York, and, from the conquest of New Netherlands, had been esteemed an appendage to his province. His claim, arising from conquest and possession, had the informal assent of the king and the privy council, and had extended even to the upper Swedish settlements. It was not difficult to obtain from the duke a release of his claim on Pennsylvania; and, after much negotiation, the lower province was granted by two deeds of feoffment.<sup>3</sup> From the forty-third degree of latitude to the Atlantic, the western and southern banks of Delaware River and Bay were under the dominion of William Penn.

Aug.  
24.

Every arrangement for a voyage to his province being finished, Penn, in a beautiful letter, took leave

<sup>1</sup> Appendix to Proud, ii.

<sup>2</sup> Documents in Hazard's Register, i. 394.

<sup>3</sup> Haz. Reg. i. 429, 430. Clarkson. Proud, i. 200—202. Votes and Proceedings, xxxv, &c. &c.

CHAP. of his family. His wife, who was the love of his youth,  
 XVI. he reminded of his impoverishment in consequence of  
 1682. his public spirit, and recommended economy ; “ Live  
 low and sparingly till my debts be paid.” Yet for his  
 children he adds, “ Let their learning be liberal ; spare  
 no cost, for by such parsimony all is lost that is saved.”  
 Agriculture he proposed as their employment. “ Let  
 my children be husbandmen and housewives.”—  
 Friends in England watched his departure with anxious  
 hope ; on him rested the expectations of their society,  
 and their farewell at parting was given with “the  
 innocence and tenderness of the child that has no  
 guile.”

After a long passage, rendered gloomy by frequent  
 death among the passengers, many of whom had  
 in England been his immediate neighbors, on the  
 Oct. twenty-seventh day<sup>1</sup> of October, 1682, William Penn  
 27. landed at Newcastle.

The son and grandson of naval officers, his thoughts  
 had from boyhood been directed to the ocean ; the con-  
 quest of Jamaica by his father early familiarized his  
 imagination with the New World, and in Oxford, at the  
 age of seventeen, he indulged in visions of happiness,  
 of which America was the scene.<sup>2</sup> Bred in the school  
 of Independency, he had, while hardly twelve years  
 old, learned to listen to the voice of God in his soul ;  
 and at Oxford, where his excellent genius received the  
 benefits of learning, the words of a Quaker preacher  
 1661. so touched his heart, that he was fined and afterwards  
 expelled for nonconformity.<sup>3</sup> His father, bent on sub-

<sup>1</sup> Records in Watson. Penn's letter announces his arrival as on the 24th. This may refer to his entering into the bay.

<sup>2</sup> Penn's H. S. C. i. 203.

<sup>3</sup> It is usual to add that Penn joined with Robert Spencer in tear-

ing surplises. The story is one of Oldmixon's. It cannot be true. Penn became first acquainted with Sunderland, in France, in 1663. Penn's letter to Sunderland, Mem. P. H. S. ii. 244.

duing his enthusiasm, beat him and turned him into the streets, to choose between poverty with a pure conscience, or fortune with obedience. But how could the hot anger of a petulant sailor continue against an only son? It was in the days of the glory of Descartes, that, to complete his education, William Penn received a father's permission to visit the continent.

CHAP.  
XVI.

From the excitements and the instruction of travel, for which the passion is sometimes stronger than love or ambition, the young exile turned aside to the college at Saumur, where, under the guidance of the gifted and benevolent Amyrault, his mind was trained in the severities of Calvinism, as tempered by the spirit of universal love.<sup>1</sup>

In the next year, Penn, having crossed the Alps, was just entering on the magnificence of Piedmont, when the appointment of his father to the command of a British squadron, in the naval war with Holland, compelled his return to the care of the estates of the family. The discipline of society and travel had given him grace of manners, enhanced by the severe but unpretending purity of his morals; and in London the travelled student of Lincoln's Inn, if diligent in gaining a knowledge of English law, was yet esteemed a most modish fine gentleman.<sup>2</sup> In France, the science of the Huguenots had nourished reflection; in London, every sentiment of sympathy was excited by the horrors which he witnessed during the devastations of the plague.<sup>3</sup>


Having thus perfected his understanding by the learning of Oxford, the religion and philosophy of the French Huguenots and France, and the study of the laws of England, in the bloom of youth, being of en-

<sup>1</sup> Clarkson, i. c. ii. and ii. c. xx. Sewal, 474, is the contemporary authority.

<sup>2</sup> Pepys, i. 311.

<sup>3</sup> Penn, ii. 465.



CHAP. XVI.  gaging manners, and so skilled in the use of the sword, that he easily disarmed an antagonist,<sup>1</sup> of great natural vivacity, and gay good humor, the career of wealth and preferment opened before him through the influence of his father and the ready favor of his sovereign. But his mind was already imbued with "a deep sense of the vanity of the world, and the irreligiousness of its religions."<sup>2</sup>

1666. At length, in 1666, on a journey in Ireland, William Penn heard his old friend Thomas Loe speak of the faith that overcomes the world; the undying fires of enthusiasm at once blazed up within him, and he renounced every hope for the path of integrity. It is a path into which, says Penn, "God, in his everlasting kindness, guided my feet in the flower of my youth, when about two-and-twenty years of age." And in the autumn of that year, he was in jail for the crime of listening to the voice of conscience. "Religion"—such was his remonstrance to the viceroy of Ireland—"is my crime and my innocence; it makes me a prisoner to malice, but my own freeman."

1666, 1667. After his enlargement, returning to England, he encountered bitter mockings and scornings, the invectives of the priests, the strangeness of all his old companions;<sup>3</sup> it was noised about, in the fashionable world, as an excellent jest, that "William Penn was a Quaker again, or some very melancholy thing;"<sup>4</sup> and his father,

1667. in anger, turned him penniless out of doors.

The outcast, saved from extreme indigence by a mother's fondness, became an author, and announced to princes, priests, and people, that he was one of the despised, afflicted and forsaken Quakers; and repair-

Penn, i.  
125.

<sup>1</sup> No Cross No Crown, c. ix.

<sup>2</sup> Penn, ii. 465.

<sup>3</sup> Ibid. So Besse.

<sup>4</sup> Pepys, ii. 172.

ing to court with his hat on, he sought to engage the duke of Buckingham in favor of liberty of conscience, claimed from those in authority better quarters for dissenters than stocks, and whips, and dungeons, and banishments, and was urging the cause of freedom with importunity, when he himself, in the heyday of youth, was consigned to a long and close imprisonment in the tower.<sup>1</sup> His offence was heresy: the bishop of London menaced him with imprisonment for life unless he would recant. "My prison shall be my grave," answered Penn. The kind-hearted Charles II. sent the humane and candid Stillingfleet to calm the young enthusiast. "The tower"—such was Penn's message to the king—"is to me the worst argument in the world." In vain did Stillingfleet urge the motive of royal favor and preferment; the inflexible young man demanded freedom of Arlington, "as the natural privilege of an Englishman." Club-law, he argued with the minister, may make hypocrites; it never can make converts. Conscience needs no mark of public allowance. It is not like a bale of goods that is to be forfeited unless it has the stamp of the custom-house. After losing his freedom for about nine months, his prison door was opened by the intercession of his father's friend, the duke of York; for his constancy had commanded the respect and recovered the favor of his father.

The Quakers, exposed to judicial tyranny, were led, by the sentiment of humanity, to find a barrier against their oppressors by narrowing the application of the common law, and restricting the right of judgment to the jury. Scarcely had Penn been at liberty a year, when, after the intense intolerance of "the conventicle act," he was arraigned for having spoken at a Quaker 1670.

<sup>1</sup> Penn's Apology for himself. Mem. P. H. S. 238, 239.

CHAP. meeting. "Not all the powers on earth shall divert  
XVI. us from meeting to adore our God who made us."

1670. Thus did the young man of five-and-twenty defy the  
Sept. English legislature; and he demanded on what law  
3. the indictment was founded.—"On the common law," answered the recorder. "Where is that law?" demanded Penn. "The law which is not in being, far from being common, is no law at all." Amidst angry exclamations and menaces, he proceeded to plead earnestly for the fundamental laws of England, and, as he was hurried out of court, still reminded the jury, that "they were his judges."—Dissatisfied with the first verdict returned, the recorder heaped upon the jury every opprobrious epithet. "We will have a verdict, by the help of God, or you shall starve for it."—"You are Englishmen," said Penn, who had been again brought to the bar; "mind your privilege; give not away your right."—"It never will be well with us," said the recorder, "till something like the Spanish inquisition be in England." At last the jury, who had received no refreshments for two days and two nights, on the third day, gave their verdict, "Not Guilty."

Sept. The recorder fined them forty marks apiece for their  
5. independence, and, amercing Penn for contempt of court, sent him back to prison. The trial was an era in judicial history. The fines were soon afterwards discharged by his father, who was now approaching his end. "Son William," said the dying admiral, "if you and your friends keep to your plain way of preaching and living, you will make an end of the priests."

Inheriting a large fortune, he continued to defend publicly, from the press, the principles of intellectual liberty and moral equality; he remonstrated in unmeasured terms against the bigotry and intolerance,

“the hellish darkness and debauchery,” of the university of Oxford; he exposed the errors of the Roman Catholic church, and in the same breath pleaded for a toleration of their worship; and never fearing publicly to address a Quaker meeting, he was soon on the road to Newgate, to suffer for his honesty by a six months’ imprisonment. <sup>CHAP. XVI.</sup> “You are an ingenious gentleman,” <sup>1670,</sup> said the magistrate at the trial; “you have a plentiful estate; why should you render yourself unhappy by associating with such a simple people?”—“I prefer,” <sup>1671.</sup> said Penn, “the honestly simple to the ingeniously wicked.” The magistrate rejoined by charging Penn with previous immoralities. The young man, with passionate vehemence, vindicated the spotlessness of his life. “I speak this,” he adds, “to God’s glory, who has ever preserved me from the power of these pollutions, and who, from a child, begot a hatred in me towards them.” “Thy words shall be thy burden; I trample thy slander as dirt under my feet.”

From Newgate Penn addressed parliament and the nation in the noblest plea for liberty of conscience—a liberty which he defended by arguments drawn from experience, from religion, and from reason. If the efforts of the Quakers cannot obtain “the olive branch of toleration, we bless the providence of God, resolving by patience to outweary persecution, and by our constant sufferings to obtain a victory more glorious than our adversaries can achieve by their cruelties.”

On his release from imprisonment, a calmer season <sup>1671</sup> followed. Penn travelled in Holland and Germany; <sup>to</sup> <sup>1673.</sup> then returning to England, he married a woman of extraordinary beauty and sweetness of temper, whose noble spirit “chose him before many suitors,” and honored him with “a deep and upright love.” As

CHAP. XVI. persecution in England was suspended, he enjoyed for two years the delights of rural life, and the animating pursuit of letters ; till the storm was renewed, and the imprisonment of George Fox, on his return from America, demanded intercession. What need of narrating the severities, which, like a slow poison, brought the prisoner to the borders of the grave ? Why enumerate the atrocities of petty tyrants, invested with village magistracies, the ferocious passions of irresponsible jailers ? The Statute Book of England contains the clearest impress of the bigotry which a national church could foster, and a parliament avow ; and Penn, 1675. in considering England's present interest, far from resting his appeal on the sentiment of mercy, merited the highest honors of a statesman by the profound sagacity and unbiased judgment with which he unfolded the question of the rights of conscience in its connection with the peace and happiness of the state.

It was this love of freedom of conscience which gave interest to his exertions for New Jersey. The summer 1677. and autumn after the first considerable Quaker emigration to the eastern bank of the Delaware, George Fox, and William Penn, and Robert Barclay, with others, embarked for Holland, to evangelize the continent ; and Barclay and Penn went to and fro in Germany, from the Weser to the Mayne, the Rhine, and the Neckar, distributing tracts, discoursing with men of every sect and every rank, preaching in palaces and among the peasants, rebuking every attempt to intrall the mind, and sending reproofs to kings and magistrates, to the princes and lawyers of all Christendom. The soul of William Penn was transported into fervors of devotion ; and, in the ecstasies of enthusiasm, he explained "the universal principle" at Herford, in the

court of the princess palatine, and to the few Quaker <sup>CHAP. XVI.</sup> converts among the peasantry of Kirchheim. To the peasantry of the highlands near Worms, the visit of 1678. William Penn was an event never to be forgotten.

The opportunity of observing the aristocratic institutions of Holland and the free commercial cities of Germany, was valuable to a statesman. On his return to England, the new sufferings of the Quakers excited a direct appeal to the English parliament. The special law against Papists was turned against the Quakers; Penn explained the difference between his society and the Papists; and yet, in an age of Protestant bigotry, at a season when that bigotry was become a jealous frenzy, he appeared before a committee of the house of commons to plead for universal liberty of conscience. "We must give the liberty we ask;"—such was the sublime language of the Quakers;—"we cannot be false to our principles, though it were to relieve ourselves; for we would have none to suffer for dissent on any hand."

Defeated in his hopes by the prorogation and dissolution of the parliament, Penn appealed to the people, and took an active part in the ensuing elections. He urged the electors throughout England to know their own strength and authority; to hold their representatives to be properly and truly their servants, to maintain their liberties, their share in legislation, and their share in the application of the laws. "Your well-being"—these were his words—"depends upon your preservation of your right in the government. You are free; God, and nature, and the constitution, have made you trustees for posterity. Choose men who will, by all just and legal ways, firmly keep and zealously promote your power." And as Algernon Sydney now "embarked with those

CHAP. that did seek, love, and choose the best things," Wil-  
 XVI.  
 ~~~~~ liam Penn, with fearless enthusiasm, engaged in the  
 election, and obtained for him a majority which was
 defeated only by a false return. .

1680. But every hope of reform from parliament vanished.
 Bigotry and tyranny prevailed more than ever, and
 Penn, despairing of relief in Europe, bent the whole
 energy of his mind to accomplish the establishment of a
 free government in the New World. For that "heaven-
 1682. ly end," he was prepared by the severe discipline of
 Oct. life, and the love, without dissimulation, which formed
 27. the basis of his character. The sentiment of cheerful
 humanity was irrepressibly strong in his bosom; as
 with John Eliot and Roger Williams, benevolence
 gushed prodigally from his ever-overflowing heart; and
 when, in his late old age, his intellect was impaired,
 and his reason prostrated by apoplexy, his sweetness
 of disposition rose serenely over the clouds of disease.
 Possessing an extraordinary greatness of mind, vast
 conceptions, remarkable for their universality and pre-
 cision, and "surpassing in speculative endowments;"¹
 conversant with men, and books, and governments,
 with various languages, and the forms of political com-
 binations, as they existed in England and France, in
 Holland, and the principalities and free cities of Germa-
 ny, he yet sought the source of wisdom in his own soul.
 Humane by nature and by suffering; familiar with the
 royal family; intimate with Sunderland and Sydney;
 acquainted with Russel, Halifax, Shaftesbury, and
 Buckingham; as a member of the Royal Society, the
 peer of Newton and the great scholars of his age,—he

¹ Testimony of Friends. Compare J. F. Fisher's just and exact tribute to Penn, in *Private Life of* William Penn. So too R. Tyson's Discourse, 1631, and Note 2.

valued the promptings of a free mind more than the awards of the learned, and revered the single-minded sincerity of the Nottingham shepherd more than the authority of colleges and the wisdom of philosophers. And now, being in the meridian of life, but a year older than was Locke, when, twelve years before, he had framed a constitution for Carolina, the Quaker legislator was come to the New World to lay the foundations of states. Would he imitate the vaunted system of the great philosopher? Locke, like William Penn, was tolerant; both loved freedom; both cherished truth in sincerity. But Locke kindled the torch of liberty at the fires of tradition; Penn at the living light in the soul. Locke sought truth through the senses and the outward world; Penn looked inward to the divine revelations in every mind. Locke compared the soul to a sheet of white paper, just as Hobbes had compared it to a slate; on which time and chance might scrawl their experience; to Penn, the soul was an organ which of itself instinctively breathes divine harmonies, like those musical instruments which are so curiously and perfectly framed, that, when once set in motion, they of themselves give forth all the melodies designed by the artist that made them. To Locke,¹ "Conscience is nothing else than our own opinion of our own actions;" to Penn, it is the image of God, and his oracle in the soul. Locke, who was never a father, esteemed "the duty of parents to preserve their children not to be understood without reward and punishment;"² Penn loved his children, with not a thought for the consequences. Locke, who was never married, declares marriage an affair of the senses;³ Penn revered woman as the object of fer-

CHAP.
XVI.

¹ Essay on the Human Understanding, b. i. c. iii. s. 8.

² Locke's Essay, b. ii. c. iii. s. 12.

³ Ibid. ii. xxi. 34.

CHAP.
XVI.
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vent, inward affection, made, not for lust, but for love. In studying the understanding, Locke begins with the sources of knowledge; Penn with an inventory of our intellectual treasures. Locke deduces government from Noah and Adam, rests it upon contract, and announces its end to be the security of property; Penn, far from going back to Adam, or even to Noah, declares that "there must be a people before a government,"<sup>1</sup> and, deducing the right to institute government from man's moral nature, seeks its fundamental rules in the immutable dictates "of universal reason," its end in freedom and happiness. The system of Locke lends itself to contending factions of the most opposite interests and purposes; the doctrine of Fox and Penn, being but the common creed of humanity, forbids division, and insures the highest moral unity. To Locke, happiness is pleasure;<sup>2</sup> things are good and evil only in reference to pleasure and pain;<sup>3</sup> and to "inquire after the highest good is as absurd as to dispute whether the best relish be in apples, plums, or nuts;"<sup>4</sup> Penn esteemed happiness to lie in the subjection of the baser instincts to the instinct of Deity in the breast, good and evil to be eternally and always as unlike as truth and falsehood, and the inquiry after the highest good to involve the purpose of existence. Locke says plainly, that, but for rewards and punishments beyond the grave, "it is *certainly right* to eat and drink, and enjoy what we delight in;"<sup>5</sup> Penn, like Plato and Fenelon, maintained the doctrine so terrible to despots, that God is to be loved for his own sake, and virtue to be practised for its intrinsic loveliness. Locke derives the idea of infinity

<sup>1</sup> Art. Union, in Penn. S. Laws.

<sup>2</sup> Essay on the Human Understanding, b. ii. xxi. 42.

<sup>3</sup> Essay on the Human Understanding, ii. xx. 2.

<sup>4</sup> Ibid. ii. xxi. 55.

<sup>5</sup> Ibid.

from the senses, describes it as purely negative, and attributes it to nothing but space, duration, and number;<sup>1</sup> Penn derived the idea from the soul, and ascribed it to truth, and virtue, and God. Locke declares immortality<sup>2</sup> a matter with which reason has nothing to do, and that revealed truth must be sustained<sup>3</sup> by outward signs and visible acts of power; Penn saw truth by its own light, and summoned the soul to bear witness to its own glory. Locke believed "not so many men in wrong opinions as is commonly supposed, because the greatest part have no opinions at all, and do not know what they contend for;"<sup>4</sup> Penn likewise vindicated the many, but it was because truth is the common inheritance of the race. Locke, in his love of tolerance, inveighed against the methods of persecution as "Popish practises;" Penn censured no sect, but condemned bigotry of all sorts as inhuman. Locke, as an American lawgiver, dreaded a too numerous democracy, and reserved all power to wealth and the feudal proprietaries; Penn believed that God is in every conscience, his light in every soul; and therefore, stretching out his arms, he built—such are his own words—"a free colony for all mankind." This is the praise of William Penn, that, in an age which had seen a popular revolution shipwreck popular liberty among selfish factions, which had seen Hugh Peters and Henry Vane perish by the hangman's cord and the axe; in an age when Sydney nourished the pride of patriotism rather than the sentiment of philanthropy, when Russel stood for the liberties of his order, and

CHAP.  
XVI.

<sup>1</sup> Essay on the Human Understanding, ii. xvii. 1.

<sup>2</sup> Ibid. iv. xviii. 7.

<sup>3</sup> Ibid. iv. xix. 15.

<sup>4</sup> Locke's whole chapter on Enthusiasm was probably levelled at

the Quakers. It is not always possible to know when Locke is opposing Descartes, and when the disciples of George Fox. He refutes both by partial representations of their views.

CHAP. not for new enfranchisements, when Harrington, and  
 XVI. Shaftesbury, and Locke, thought government should rest on property,—Penn did not despair of humanity, and, though all history and experience<sup>1</sup> denied the sovereignty of the people, dared to cherish the noble idea of man's capacity for self-government. Conscious that there was no room for its exercise in England, the pure enthusiast, like Calvin and Descartes, a voluntary exile, was come to the banks of the Delaware to institute "THE HOLY EXPERIMENT."

1682. The news spread rapidly, that the Quaker king was  
 Oct. at Newcastle; and,<sup>2</sup> on the day after his landing, in  
 27, presence of a crowd of Swedes, and Dutch, and  
 28, English, who had gathered round the court-house, his deeds of feoffment were produced; the duke of York's agent surrendered the territory by the solemn delivery of earth and water, and Penn, invested with supreme and undefined power in Delaware, addressed the assembled multitude on government, recommended sobriety and peace, and pledged himself to grant liberty of conscience and civil freedoms.

From Newcastle, Penn ascended the Delaware to Chester, where he was hospitably received by the honest, kind-hearted emigrants who had preceded him from the north of England; the little village of herds-men and farmers, with their plain manners, gentle dispositions, and tranquil passions, seemed a harbinger of a golden age.

From Chester, tradition describes the journey of Penn to have been continued with a few friends in an

<sup>1</sup> See Hume's account of the meeting of the Long Parliament. from Penn's letter. But the copyist may have mistaken a figure; or Penn

<sup>2</sup> Proud, i. 205. The date in Chalmers and Proud, of Penn's landing, is October 24. It is taken within the capes. See the New-castle Records, in Watson, 16.

open boat, in the earliest days of November, to the beautiful bank, fringed with pine-trees, on which the city of Philadelphia was soon to rise. CHAP.  
XVI.

In the following weeks, Penn visited West and East New Jersey, New York, the metropolis of his neighbor proprietary, the duke of York, and, after meeting Friends on Long Island, he returned to the banks of the Delaware.<sup>1</sup> 1682.  
Nov.  
Dec.

To this period<sup>2</sup> belongs his first grand treaty with the Indians. Beneath a large elm-tree at Shakamaxon, on the northern edge of Philadelphia,<sup>3</sup> William Penn, surrounded by a few friends, in the habiliments of peace, met the numerous delegation of the Lenni Lenape tribes. The great treaty was not for the purchase of lands, but, confirming what Penn had written, and Markham covenanted, its sublime purpose was the recognition of the equal rights of humanity.<sup>4</sup> Under the shelter of the forest, now leafless by the frosts of autumn, Penn proclaimed to the men of the Algonquin race, from both banks of the Delaware, from the borders of the Schuylkill, and, it may have been, even from the Susquehannah, the same simple message of peace and love which George Fox had professed before Cromwell, and Mary Fisher had borne to the Grand Turk. The English and the Indian should respect the same moral law, should be alike secure in their pursuits and their possessions, and adjust every difference by a peaceful tribunal, composed of an equal number of men from each race.

“We meet”—such were the words of William Penn

<sup>1</sup> Penn's Letter.

<sup>2</sup> Duponceau and Fisher, 57.

<sup>3</sup> On the place, Vaux, Peters, Conyngham, in Penn. Mem. 1.

<sup>4</sup> Duponceau and Fisher. See Concessions, xi.—xv., and Penn's

letter to the Indians, in which he proposes the future personal interview. It is to be regretted, that no original record of the meeting has been preserved.

CHAP. —“ on the broad pathway of good faith and good will ;  
XVI.  
no advantage shall be taken on either side, but all shall  
1682. be openness and love. I will not call you children ;  
Nov.  
Dec. for parents sometimes chide their children too severely ;  
nor brothers only ; for brothers differ. The friendship  
between me and you I will not compare to a chain ; for  
that the rains might rust, or the falling tree might  
break. We are the same as if one man's body were  
to be divided into two parts ; we are all one flesh and  
blood.”

The children of the forest were touched by the sacred doctrine, and renounced their guile and their revenge. They received the presents of Penn in sincerity ; and with hearty friendship they gave the belt of wampum. “ We will live,” said they, “ in love with William Penn and his children, as long as the moon and the sun shall endure.”

This treaty of peace and friendship was made under the open sky, by the side of the Delaware, with the sun, and the river, and the forest, for witnesses. It was not confirmed by an oath ; it was not ratified by signatures and seals ; no written record of the conference can be found ; and its terms and conditions had no abiding monument but on the heart. There they were written like the law of God, and were never forgotten. The simple sons of the wilderness, returning to their wigwams, kept the history of the covenant by strings of wampum, and, long afterwards, in their cabins, would count over the shells on a clean piece of bark, and recall to their own memory, and repeat to their children or to the stranger, the words of William Penn.<sup>1</sup> New England had just terminated a disastrous

<sup>1</sup> Heckewelder, *Hist. Trans. Am. Phil. Soc.* 176.

war of extermination; the Dutch were scarcely ever at peace with the Algonquins; the laws of Maryland refer to Indian hostilities and massacres, which extended as far as Richmond. Penn came without arms; he declared his purpose to abstain from violence; he had no message but peace; and not a drop of Quaker blood was ever shed by an Indian. CHAP. XVI. 1682.

Was there not progress from Melendez to Roger Williams? from Cortez and Pizarro to William Penn? The Quakers, ignorant of the homage which their virtues would receive from Voltaire and Raynal, men so unlike themselves, exulted in the consciousness of their humanity. We have done better, said they truly, "than if, with the proud Spaniards, we had gained the mines of Potosi. We may make the ambitious heroes, whom the world admires, blush for their shameful victories. To the poor, dark souls round about us we teach their RIGHTS AS MEN."<sup>1</sup>

The scene at Shackamaxon forms the subject of one of the pictures of West; but the artist, faithful neither to the Indians nor to Penn, should have no influence on history.<sup>2</sup> Shall the event be commemorated by the pencil? Imagine the chiefs of the savage communities, of noble shape and grave demeanor, assembled in council without arms; the old men sit in a half-moon upon the ground; the middle-aged are in a like figure at a little distance behind them; the young foresters form a third semicircle in the rear. Before them stands William Penn, graceful in the summer of life, in dress scarce distinguished by a belt, surrounded by a few Friends, chiefly young men, and, like Anaxago-

<sup>1</sup> Planter's Speech, 1684.

<sup>2</sup> Clarkson countenances the mistakes of the painter. With perhaps an unnecessary excess of critical skep-

ticism, I have not rested one single fact relating to Penn on Clarkson's authority, but have verified all by documents and original sources.

CHAP. ras, whose example he cherished, pointing to the skies,  
 XVI. as the tranquil home, to which not Christians only, but

“ ————— the souls of heathen go,  
 Who better live than we, though less they know.”

1683. In the following year, Penn often met the Indians in council, and at their festivals. He visited them in their cabins, shared the hospitable banquet of hominy and roasted acorns, and laughed, and frolicked, and practised athletic games with the light-hearted, mirthful, confiding red men. He spoke with them of religion, and found that the tawny skin did not exclude the instinct of a Deity. “The poor savage people believed in God and the soul without the aid of metaphysics.” He touched the secret springs of sympathy, and succeeding generations on the Susquehannah acknowledged his loveliness.

Peace existed with the natives; the contentment of the emigrants was made perfect by the happy inauguration of the government. A general convention  
 1682. had been permitted by Penn: the people preferred to  
 Doc. appear by their representatives; and in three days the  
 4-7. work of preparatory legislation at Chester was finished. The charter from the king did not include the territories; these were now enfranchised by the joint act of the inhabitants and the proprietary, and united with Pennsylvania on the basis of equal rights. The freedom of all the inhabitants being thus confirmed, the Inward Voice, which was the celestial visitant to the Quakers, dictated a code. God was declared the only Lord of conscience; the first day of the week was reserved, as a day of leisure, for the ease of the creation. The rule of equality was introduced into families by abrogating the privileges of primogeniture.

The word of an honest man was evidence without an oath. The mad spirit of speculation was checked by a system of strict accountability, applied to factors and agents. Every man liable to civil burdens, possessed the right of suffrage; and, without regard to sect, every Christian was eligible to office. No tax or custom could be levied but by law. The Quaker is a spiritualist; the pleasures of the senses, masks, revels, and stage-plays, not less than bull-baits and cock-fights, were prohibited. Murder was the only crime punishable by death. Marriage was esteemed a civil contract; adultery a felony. The Quakers had suffered from wrong imprisonment; the false accuser was liable to double damages. Every prison for convicts was made a workhouse. There were neither poor rates nor tithes. The Swedes, and Finns, and Dutch, were invested with the liberties of Englishmen. Well might Lawrence Cook exclaim in their behalf, "It is the best day we have ever seen." The work of legislation being finished, the proprietary urged upon the house his religious counsel,<sup>1</sup> and the assembly was adjourned.

The government having been organized, William Penn, accompanied by members of his council, hastened to West River, to interchange courtesies with Lord Baltimore, and fix the limits of their respective provinces. The adjustment was difficult. Lord Baltimore claimed by his charter the whole country as far as the fortieth degree. Penn replied, just as the Dutch and the agents of the duke of York had always urged, that the charter for Maryland included only lands that were still unoccupied; that the banks of the Delaware had been

CHAP.  
XVI.  
1682.  
Dec.  
4—7.

Dec.  
11.

<sup>1</sup> Votes and Proceedings of the Province of Pennsylvania. Printed House of Representatives of the and sold by B. Franklin. P. 7.



CHAP. purchased, appropriated, and colonized, before that  
 XVI. charter was written. For more than fifty years, the  
 1682. country had been in the hands of the Dutch and their  
 Dec. successors ; and during that whole period, the claim  
 of Lord Baltimore had always been resisted. The  
 answer of Penn was true, and conformed to English  
 law as applied to the colonies. In 1623, the Dutch  
 had built Fort Nassau, in New Jersey ; and the soil of  
 Delaware was purchased by Godyn, and colonized by  
 De Vries, before the promise of King James to Sir  
 George Calvert. This is the basis of the claim of Wil-  
 liam Penn ; and its justice had already been repeatedly  
 sustained. Penn knew that it was just ; yet his  
 sweetness of disposition prompted an apology for insist-  
 ing on his right. It was not “for the love of land, but  
 of the water.” Historians have wronged themselves  
 by attributing to Penn the folly of urging the eager-  
 ness of his own desires, as an argument for his preten-  
 sions. His own letters and the published proceedings<sup>1</sup>  
 of the committee of trade and plantations prove the  
 singleness of the plea on which he rested ; the  
 voyages of De Vries, and the records of Maryland and  
 of New York, establish its validity. But what line  
 should be esteemed the limit of New Netherlands ?  
 This remained a subject for compromise. A discussion  
 of three days led to no result : tired of useless debates,  
 Penn crossed the Chesapeake to visit Friends at Chop-  
 tank ; and returned to his own province, prepared to  
 renew negotiation, or to submit to arbitration in  
 England.

1683. The enthusiasm of William Penn sustained his ex-  
 cited mind in unceasing exertion ; and he now selected

<sup>1</sup> Votes and Proceedings, xiii., &c.

a site for a city, purchased the ground of the Swedes, and in a situation "not surpassed"—such are his words—"by one among all the many places he had seen in the world,"—and he had seen the cities of Europe from Bremen to Turin,—on a neck of land between the Schuylkill and Delaware, appointed for a town by the convenience of the rivers, the firmness of the land, the pure springs and salubrious air, William Penn laid out Philadelphia, the city of refuge, the mansion of freedom, the home of humanity. Pleasant visions of innocence and happiness floated before the imagination of his Quaker brethren. "Here," said they, "we may worship God according to the dictates of the Divine Principle, free from the mouldy errors of tradition; here we may thrive, in peace and retirement, in the lap of unadulterated nature; here we may improve an innocent course of life on a virgin Elysian shore." But vast as were the hopes of the humble Friends, who now marked the boundaries of streets on the chestnut, or ash and walnut trees of the original forest, they were surpassed by the reality. Pennsylvania bound the northern and the southern colonies in bonds stronger than paper chains; Philadelphia was the birthplace of American independence and the pledge of union.

In March, the infant city, in which there could have been few mansions but hollow trees,<sup>1</sup> was already the scene of legislation. From each of the six counties into which Penn's dominions were divided, nine representatives, Swedes, Dutch, and Quaker preachers, of Wales, and Ireland, and England, were elected for the purpose of establishing a charter of liberties. They desired it might be the acknowledged growth of the

CHAP.  
XVI.  
1683.  
Jan.  
and  
Feb.

1683.  
Mar.  
12.

<sup>1</sup> Watson's Phil. 225.

CHAP. New World, and bear date in Philadelphia.<sup>1</sup> "To the  
 XVI. people of this place," said Penn, "I am not like a  
 1683. selfish man ; through my travail and pains the province  
 Mar. came ; it is now in Friends' hands. Our faith is for  
 one another, that God will be our counsellor forever."  
 And when the general assembly came together, he  
 referred to the frame of government proposed in Eng-  
 land, saying, " You may amend, alter, or add ; I am  
 ready to settle such foundations as may be for your  
 happiness."

The constitution which was established created a  
 legislative council and a more numerous assembly ; the  
 former to be elected for three years, one third being  
 renewed annually ; the assembly to be annually chosen.  
 Rotation in office was enjoined. The theory of the  
 constitution gave to the governor and council the initi-  
 ation of all laws ; these were to be promulgated to the  
 people ; and the office of the assembly was designed to  
 be no more than to report the decision of the people in  
 their primary meetings. Thus no law could be enact-  
 ed but with the direct assent of the whole community.  
 Such was the system of the charter of liberties. But  
 it received modifications from the legislature by which  
 it was established. The assembly set the precedent  
 of engaging in debate, and of proposing subjects for  
 bills by way of conference with the governor and coun-  
 cil. In return, by unanimous vote, a negative voice  
 was allowed the governor<sup>2</sup> on all the doings of the

<sup>1</sup> Votes, &c., p. 20.

<sup>2</sup> "The requisition was suffered  
 to sleep on the journals." Gordon,  
 p. 80. Now compare Votes and  
 Proceedings, p. 10. "Proposed to  
 the voice of the house, whether the  
 governor shall have the power of an  
 overruling voice in the provincial  
 council and in the assembly ; as to

the provincial council, it was carried  
 in the affirmative, N. C. D." Again.  
 "The assembly required power to  
 originate all legislative measures.  
 This was conceded." Gordon, 79.  
 Such was the issue ; but not im-  
 mediately. The petition of the  
 house was "for the privilege of con-  
 ference." Votes, &c. p. 8. Com-

council, and such a power was virtually a right to negative any law. It had been more simple to have left the assembly full power to originate bills, and to the governor an unconditional negative. This was virtually the method established in 1683; it was distinctly recognized in the fundamental law in 1696. Besides, the charter from Charles II. held the proprietary responsible for colonial legislation; and no act of provincial legislation could be perfected till it had passed the great seal of the province. That a negative voice was thus reserved to William Penn, was, I believe, the opinion of the colonists of that day;<sup>1</sup> such was certainly the intention of the royal charter, and was necessary, unless the proprietary relation was to cease. In other respects, the frame of government gave all power to the people; the judges were to be nominated by the provincial council, and, in case of good behavior, could not be removed by the proprietary during the term for which they were commissioned.<sup>2</sup> But for the hereditary office of proprietary, Pennsylvania had been a representative democracy. In Maryland, the council was named by Lord Baltimore; in Pennsylvania, by the people. In Maryland, the power of appointing magistrates, and all, even the subordinate executive officers, rested solely with the proprietary;<sup>3</sup> in Pennsylvania, William Penn could not appoint a justice or a constable; every executive officer, except the highest,

CHAP.  
XVI.

pare, too, Council Books, in Hazard's Register, i. 16, for March 15, 1683. The chamber of deputies under Louis XVIII. could petition the king to introduce a bill. Practically, the house gained the initiative, and Penn the negative voice.

<sup>1</sup> Votes, &c. p. 21. "Recommended to the great seal"

<sup>2</sup> Compare First Charter, section xvii., with Second Charter, section

xvi. Proud, ii. App. 13, 25. The writer in Am. Q. Rev. v. 416, interprets the new clause absolutely; and, according to modern use of language, correctly. Penn and the council did not. Witness the commission to the judges, in Proud, i. 227: "This commission to be in force during two years."

<sup>3</sup> McMahon, 156.

CHAP. was elected by the people or their representatives ; and  
 XVI. the governor could perform no public act, but with the consent of the council. Lord Baltimore had a revenue derived from the export of tobacco, the staple of Maryland ; and his colony was burdened with taxes : a similar revenue was offered to William Penn, and declined ;<sup>1</sup> and tax-gatherers were unknown in his province.

In the name of all the freemen of the province, the charter was received by the assembly with gratitude, as one "of more than expected liberty."<sup>2</sup> "I desired," says Penn, "to show men as free and as happy as they can be."<sup>3</sup> In the decline of life, the language of his heart was still the same. "If, in the relation between us," he writes in his old age, "the people want of me any thing that would make them happier, I should readily grant it."<sup>4</sup>

When Peter, the great Russian reformer, attended in England a meeting of Quakers, the semibarbarous philanthropist could not but exclaim, "How happy must be a community instituted on their principles!" "Beautiful!" said the philosophic Frederic of Prussia, when, a hundred years later, he read the account of the government of Pennsylvania ; "it is perfect, if it can endure."<sup>5</sup> To the charter which Locke invented for Carolina, the palatines voted an immutable immortality ; and it never gained more than a short, partial existence : to the people of his province Penn left it free to subvert or alter the frame of government ; and its essential principles remain to this day without change.

Such was the birth of popular power in Pennsyl-

<sup>1</sup> Penn to a society of traders.

<sup>2</sup> Votes, &c. 21.

<sup>3</sup> Watson, 20.

<sup>4</sup> Watson, 29. Proud, ii. 45.

<sup>5</sup> Herder, xiii. 116.

vania and Delaware. It remained to dislodge superstition from its hiding-places in the mind. The Scandinavian emigrants came from their native forests with imaginations clouded by the gloomy terrors of an invisible world of fiends; and a turbulent woman was brought to trial as a witch. Penn presided, and the Quakers on the jury outnumbered the Swedes. The grounds of the accusation were canvassed; the witnesses calmly examined; and the jury, having listened to the charge from the governor, returned this verdict: "The prisoner is guilty of the common fame of being a witch, but not guilty as she stands indicted." The friends of the liberated prisoner were required to give bonds, that she should keep the peace; and in Penn's domain, from that day to this, neither demon nor hag ever rode through the air on goat or broomstick; and the worst arts of conjuration went no farther than to foretell fortunes, mutter powerful spells over quack medicines, or discover by the divining rod the hidden treasures of the bucaniers.<sup>1</sup>

CHAP.  
XVI.1684.  
Feb.  
27.

Meantime the news spread abroad, that William Penn, the Quaker, had opened "an asylum to the good and the oppressed of every nation;" and humanity went through Europe, gathering the children of misfortune. From England and Wales,<sup>2</sup> from Scotland and Ireland, and the Low Countries, emigrants crowded to the land of promise. On the banks of the Rhine, it was whispered that the plans of Gustavus Adolphus and Oxenstiern were consummated; new companies were formed under better auspices than those of the Swedes; and from the highlands above Worms, the humble people who had melted at the eloquence of

1683  
to  
1688.<sup>1</sup> Hazard's Register, i. 16, 108, 289.<sup>2</sup> Ibid. vi. 238, 239.

**CHAP.** Penn, the Quaker emissary, renounced their German  
**XVI.** homes for the protection of the Quaker king. There  
 is nothing in the history of the human race like the  
 confidence which the simple virtues and institutions of  
 William Penn inspired. The progress of his province  
 was more rapid than the progress of New England.  
 In August, 1683, "Philadelphia consisted of three or  
 four little cottages;"<sup>1</sup> the conies were yet undisturbed  
 in their hereditary burrows; the deer fearlessly bounded  
 past glazed trees, unconscious of foreboded streets;  
 the stranger that wandered from the river bank was  
 lost in the thickets of the interminable forest; and, two  
 years afterwards, the place contained about six hun-  
 dred houses,<sup>2</sup> and the schoolmaster and the printing-  
 press had begun their work.<sup>3</sup> In three years from its  
 foundation, Philadelphia gained more than New York  
 had done in half a century. This was the happiest  
 season in the public life of William Penn. "I must,  
 1684. without vanity, say"—such was his honest exultation—  
 Mar. 9. "I have led the greatest colony into America that ever  
 any man did upon a private credit, and the most pros-  
 perous beginnings that ever were in it, are to be found  
 among us."<sup>4</sup>

The government had been organized, peace with  
 the natives confirmed, the fundamental law estab-  
 lished, the courts of justice instituted; the mission  
 of William Penn was accomplished; and now, like  
 Solon, the most humane of ancient legislators, he pre-  
 pared to leave the commonwealth, of which he had  
 founded the happiness. Intrusting the great seal to  
 his friend Lloyd, and the executive power to a com-

<sup>1</sup> Pastorius, in Watson, 61.

<sup>2</sup> Turner, in Watson, 67.

<sup>3</sup> Council Records, in Haz. Reg.  
 i. 16. Thomas, Hist. of Printing,

ii. 8, 9. Council Records, in Proud,  
 i. 345.

<sup>4</sup> Penn to Halifax, in Watson,  
 19.

mittee of the council, Penn sailed for England, leaving freedom to its own development. His departure was happy for the colony and for his own tranquillity. He had established a democracy, and was himself a feudal sovereign. The two elements in the government were incompatible ; and for ninety years, the civil history of Pennsylvania is but the account of the jarring of these opposing interests, to which there could be no happy issue but in popular independence. But rude collisions were not yet begun ; and the benevolence of William Penn breathed to his people a farewell, unclouded by apprehension. " My love and my life are to you and with you, and no water can quench it, nor distance bring it to an end. I have been with you, cared over you, and served you with unfeigned love ; and you are beloved of me and dear to me beyond utterance. I bless you in the name and power of the Lord, and may God bless you with his righteousness, peace, and plenty, all the land over."—" You are come to a quiet land, and liberty and authority are in your hands. Rule for Him under whom the princes of this world will one day esteem it their honor to govern in their places."—" And thou, Philadelphia, the virgin settlement of this province, my soul prays to God for thee, that thou mayest stand in the day of trial, and that thy children may be blessed."—" Dear friends, my love salutes you all."

CHAP.  
XVI.  
1684.  
Aug.  
12

And after he reached England, he assured the eager inquirers, that " things went on sweetly with Friends in Pennsylvania ; that they increased finely in outward things and in wisdom."

Oct. 3.

The question respecting the boundaries between the domains of Lord Baltimore and of William Penn was promptly resumed before the committee of trade and

Dec.  
9.



CHAP. XVI. plantations; and, after many hearings, it was decided, that the tract of Delaware did not constitute a part of  
 1685. Maryland. The proper boundaries of the territory  
 Oct. remained to be settled; and the present limits of Del-  
 17. aware were established by a compromise. There is  
 Nov. no reason to suppose any undue bias on the minds of  
 7. the committee;<sup>1</sup> had a wrong been suspected, the decision would have been reversed at the revolution of 1688.

This decision formed the basis of an agreement between the respective heirs of the two proprietaries in 1732. Three years afterwards, the subject became a question in chancery; in 1750, the present boundaries were decreed by Lord Hardwicke; ten years afterwards, they were, by agreement, more accurately defined; and in 1761, the line between Maryland and Pennsylvania towards the west, was run by Mason and Dixon. That that line forms the present division between the states resting on free labor, and the states that tolerate slavery, is due, not to the philanthropy of Quakers alone, but to climate. Delaware lies between the same parallels with Maryland; and Quakerism has not exempted it from negro slavery.

But the care of colonial property did not absorb the enthusiasm of Penn; and, now that his father's friend

<sup>1</sup> The statement in the text is made deliberately. The documents in part are in *Votes and Proceedings*, xv. &c. In matters of property, as such, James II. was scrupulously honest. The ground on which Penn rested was true. For the case, in 1737, see *Haz. Reg.* ii. 200. To that controversy belongs the more than usually correct pamphlet—"A short Account of the First Settlement of the Provinces of Virginia, Maryland, New York, New Jersey, and Pennsylvania,"

1735. The authorities are enumerated p. 14. The plea taken as to the beginning of the 40th degree is not a plea of William Penn, and is unjust in itself. Compare J. Dunlap's *Memoir*, in *Mem. P. H. S.* i. 161—196. "Such settlement seems incontrovertible." p. 171. The *Records of Albany and Maryland*, and the *Voyage of De Vries*, change the seeming into a certainty. See Penn to North, Rochester, and Halifax, in *Mem. P. H. S.* i. 412—422.

had succeeded to the throne, he employed his fortune, <sup>CHAP. XVI.</sup> his influence, and his fame, to secure that "IMPARTIAL" liberty of conscience, which, for nearly twenty years,<sup>1</sup> he had advocated, with Buckingham and Arlington, before the magistrates of Ireland, and English juries, in the tower, in Newgate, before the commons of England, in public discussions with Baxter and the Presbyterians, before Quaker meetings, at Chester and Philadelphia, and through the press to the world. It was his old post—the office to which he was faithful from youth to age. Fifteen thousand families had been ruined for dissent since the restoration; five thousand persons had died victims to imprisonment. The monarch was persuaded to exercise his prerogative of mercy; and at Penn's intercession, not less than twelve hundred Friends were liberated from the horrible dungeons and prisons where many of them had languished hopelessly for years. Penn delighted in doing good. His house was thronged by swarms of clients, envoys from Massachusetts<sup>2</sup> among the number; and sometimes there were two hundred at once, claiming his disinterested good offices with the king. For Locke, then a voluntary exile, and the firm friend of intellectual freedom, he obtained a promise of immunity,<sup>3</sup> which the blameless philosopher, in the just pride of innocence, refused. And at the very time when the Roman Catholic Fenelon, in France, was pleading for Prot-

<sup>1</sup> Penn, in Proud, i. 325. So Penn, in his autograph Apology. This was communicated to me in MS. by J. W. Fisher, who has since caused it to be printed. It is a most honorable office to do justice to the illustrious dead. My friend writes of Penn with affectionate interest, and yet with careful criticism. True criticism does not

consist in absolute skepticism as to exalted worth.

<sup>2</sup> Lambeth MSS., communicated by Francis L. Hawks.

<sup>3</sup> Mackintosh, p. 269. Am. ed. refers to Clarkson. The original authority for the fact is Le Clerc, from whom it passed into the Biographia Britannica.

CHAP. estants against the intolerance of Louis XIV., the  
 XVI. Protestant Penn, in England, was laboring to rescue  
 the Roman Catholics from the jealousy of the English aristocracy. Claiming for the executive of the country the prerogative of employing every person, "according to his ability, and not according to his opinion," he labored to effect a repeal of every disfranchisement for opinion. Always a friend to liberty as established by law, ever ready to deepen the vestiges of British freedom, and vindicate the right of "the free Saxon people to be governed by laws of which they themselves were the makers,"<sup>1</sup> his whole soul was bent on effecting this end by means of parliament during the reign of James II., well knowing that the prince of Orange was pledged to a less liberal policy. The political tracts of "the arch Quaker" have the calm wisdom and the universality of Lord Bacon; in behalf of liberty of conscience, they beautifully connect the immutable principles of human nature and human rights with the character and origin of English freedom, and exhaust the question as a subject for English legislation. Penn resisted the tyrannical proceedings against Magdalen College, and yet desired that the universities might not be altogether shut against dissenters. No man in England was more opposed to Roman Catholic dominion; but, like an honest lover of truth, and well aware that he and George Fox could win more converts than James II. and the pope with all their patronage, he desired, in the controversy with the Roman church, nothing but equality. He knew that Popery was in England the party of the past, from causes that lay in the heart of society, incapable of restoration; and therefore he ridiculed the Popish panic as

<sup>1</sup> Penn, iii. 220, and 273, 274.

a scarecrow fit only to frighten children.<sup>1</sup> Such was the strong antipathy of England to the Roman see, he foretold the sure success of the English church, if it should plough with that heifer, but equally predicted the still later result, that the Catholics, in their turn becoming champions of civil freedom, would unite with its other advocates, and impair and subvert the English hierarchy.<sup>2</sup> Penn never gave counsel at variance with popular rights. He resisted the commitment of the bishops to the tower, and, on the day of the birth of the prince of Wales, pressed the king exceedingly to set them at liberty.<sup>3</sup> His private correspondence proves that he esteemed parliament<sup>4</sup> the only power through which his end could be gained; and, in the true spirit of popular liberty, he sought to infuse his principles into the popular mind, that so they might find their place in the statute-book through the free convictions of his countrymen. England to-day confesses his sagacity, and is doing honor to his genius. He came too soon for success, and he was aware of it. After more than a century, the laws which he reprov'd began gradually to be repealed; and the principle which he developed, sure of immortality, is slowly but firmly asserting its power over the legislation of Great Britain.

CHAP.  
XVI.

<sup>1</sup> Penn, ii. 580. Penn knew the secret motive.—“Time, that informs children, will tell the world the meaning of the fright.”

<sup>2</sup> Ibid. 575—578.

<sup>3</sup> “This excellent man lent himself to the measures of the king.” Mackintosh, 290. Thus the modern. Now the contemporary authority in Mr. Lawton’s *Memoir of William Penn*, in *Mem. P. H. S.* iii. P. ii. p. 230, 231. “Penn was against the commitment of the bishops.”—“He pressed the king exceedingly to set them at liberty.”

<sup>4</sup> “I should rejoice to see the penal laws repealed.” Penn to Har-

rison, in *Proud*, i. 308. Burnet says Penn promised, on behalf of King James, an assent to a solemn and unalterable law. The whole mission to the prince of Orange is based upon an intended action of parliament. Burnet, ii. 395, 396. Compare Penn, in *Proud*, i. 325. The “Good Advice to the Church of England,” Penn, ii., is an argument for the repeal of the penal laws and tests. What better mode than to reach the legislature through an address to the public? Compare Penn’s own *Apology*, in *Mem. P. H. S.* iii. P. ii., and letter to Shrewsbury, in *The Friend*, vi. 194.

CHAP.  
XVI.

The political connections of William Penn have involved him in the obloquy which followed the overthrow of the Stuarts; and the friends to the tests, comprising nearly all the members of both the political parties, into which England was soon divided, have generally been unfriendly to his good name. But their malice has been without permanent effect. There are not wanting those who believe the many to be the most competent judge of the beautiful; every Quaker believes them the best arbiter of the just and the true. It is certain that they, and they only, are the dispensers of glory. Their final award is given freely, and cannot be shaken. Every charge of hypocrisy, of selfishness, of vanity, of dissimulation, of credulous confidence; every form of reproach, from virulent abuse to cold apology;<sup>1</sup> every ill name, from tory and Jesuit to blasphemer and infidel,—has been used against Penn; but the candor of his character always triumphed over calumny. His name was safely cherished as a household word in the cottages of Wales and Ireland, and among the peasantry of Germany; and not a tenant of a wigwam from the sea to the Susquehannah doubted his integrity. His fame is now wide as the world; he is one of the few who have gained abiding glory.

Was he prospered? Before engaging in his American enterprise, he had impaired his patrimony to relieve the suffering Quakers; his zeal for his provinces hurried him into colonial expenses beyond the returns; his philanthropy, establishing popular power, left him without a revenue; and he who had so often been imprisoned for religion, in his old age went to jail for debt. But what is so terrible as remorse? what so soothing as an approving conscience? William Penn was happy. "He

<sup>1</sup> Mackintosh, *Hist. of Rev.* 290. Am. ed.

could say it before the Lord, he had the comfort of having approved himself a faithful steward to his understanding and ability.”<sup>1</sup> CHAP.  
XVI.

Meanwhile the Quaker legislators in the woods of Pennsylvania were serving their novitiate in popular legislation. To complain, to impeach, to institute committees of inquiry, to send for persons and papers, to quarrel with the executive,—all was attempted, and all without permanent harm. But the character of parties was already evident; and the people, with an irresistible propension, tended towards the fixed design of impairing the revenues, and diminishing the little remaining authority, of their feudal sovereign.<sup>2</sup> Penn had reserved large tracts of territory as his private property; he alone could purchase the soil from the natives; and he reserved quitrents on the lands which he sold. Pennsylvania, for nearly a century, sought to impair the exclusive right to preëmption, and to compel an appropriation of the income from quitrents, in part at least, to the public service. Colonial jealousy of a feudal chief was early and perseveringly displayed. The maker of the first Pennsylvania almanac was censured for publishing Penn as a lord.<sup>3</sup> The assembly originated bills without scruple; they attempted a new organization of the judiciary; they alarmed the merchants by their lenity towards debtors; they would vote no taxes; they claimed the right of inspecting the records, and displacing the officers of the courts; they expelled a member who reminded them of their contra-

1686.  
Jan. 9.

1685.

1686.  
March  
15.

<sup>1</sup> Penn, in Proud, i. 291.

<sup>2</sup> The Historical Review, attributed to Franklin, and much cited by the enemies of Penn's fame, is an uncandid, ex parte, political argument. The author's aim in the

work is not truth, but victory. Its historic matter is better found in the original documents which he quotes. Tyson's judgment on it is correct.

<sup>3</sup> Hazard's Register, i. 16.

CHAP.  
XVI.

vening the provisions of their charter.<sup>1</sup> The executive power was also imperfectly administered ; for the whole council was too numerous a body for its regular exercise. A commission of five was substituted ;<sup>2</sup> and finally, when it was resolved to appoint a deputy-governor,<sup>3</sup> the choice of the proprietary was not wisely made. In a word, folly and passion, not less than justice and wisdom, had become enfranchised on the Delaware, and were desperately bent on the exercise of their privileges. Free scope was opened to every whim that enthusiasts might propose as oracles from the skies, to every selfish desire that could lurk under the Quaker garb. But the smiling light of prosperity rose serenely over the little clouds of discontent, and the swelling passions of the young apprentices at legislation died away at the adjournments.<sup>4</sup> To freedom and justice a fair field was given, and they were safe.<sup>5</sup>

1687.  
Feb. 1.  
1688.

Peace also was uninterrupted. Once, indeed, it was rumored, that on the Brandywine five hundred Indians were assembled to concert a massacre. Immediately Caleb Pusey, with five Friends, hastened unarmed to the scene of anticipated danger. The sachem repelled the calumnious report with indignation ; and the little griefs of the tribe were canvassed and assuaged. "The great God, who made all mankind, extends his love to Indians and English. The rain and the dews fall alike on the ground of both ; the sun shines on us equally ; and we ought to love one another." Such

<sup>1</sup> Votes and Proceedings, 32, &c.

<sup>2</sup> Doc. in Proud, i. 305.

<sup>3</sup> Hazard's Register, iii. 104, 105 ; i. 443.

<sup>4</sup> Votes and Proceedings, 35, 36, and 47. "Thankful acknowledgment of kindness of God, and coun-

cil," March 19, 1688, passed unanimously.

<sup>5</sup> Tyson's censure on Chalmers and others, in Mem. P. H. S. ii. Part ii. p. 140, 141, is to my mind strictly just. It is the language of accurate investigation. The whole "Examination" is a manly paper.

was the diplomacy of the Quaker envoy. The king of the Delawares answered, "What you say is true. Go home, and harvest the corn God has given you. We intend you no harm."<sup>1</sup>

The white man agreed with the red man to love one another. Would he love the negro also, and refuse homage from the African? William Penn employed blacks<sup>2</sup> without scruple. His first public act relating to them<sup>3</sup> did but substitute, after fourteen years' service, the severe condition of adscripts to the soil, for that of slaves. At a later day, he endeavored to secure to the African mental and moral culture, the rights and happiness of domestic life. His efforts were not successful, and he himself died a slave-holder. On the subject of negro slavery, the German mind was least intralld by prejudice, because Germany had never yet participated in the slave-trade. The Swedish and German colony of Gustavus Adolphus was designed to rest on free labor. If the general meeting of the Quakers for a season forbore a positive judgment, already "the poor hearts" from Kirchheim, "the little handful" of German Friends from the highlands above the Rhine,<sup>4</sup> came to the resolution that it was not lawful for Christians to buy or to keep negro slaves.<sup>5</sup>

This decision of the German emigrants on negro slavery, was taken during the lifetime of George Fox, who recognized no distinction of race. "Let your light shine among the Indians, the blacks, and the

CHAP.  
XVI.

1688.

1690.  
Dec.  
11.

<sup>1</sup> Proud, i. 335, 336.

<sup>2</sup> Penn, in Watson, 480. Matlack, in Mass. Hist. Coll. xviii. 185.

<sup>3</sup> Charter of Free Society of Traders.

<sup>4</sup> Penn's Works, ii. 439.

<sup>5</sup> Bettle, in Mem. P. H. S. i. 365. Watson, 480. Haz. Reg. i. 395. Compare Cicero de Off. L. I. sect.

13:—"Etiam adversus infimos justitiam esse servandam, &c. *servorum, quibus, &c. uti ut mercenariis; operam exigendam, justa præbenda.*" Cicero quotes from a disciple of Plato. On the other hand, Sepulveda, in Cousin, i. 406. Locke justifies slavery, like Aristotle.



CHAP. whites," was his message to Quakers on the Dela-  
 XVI.  
 ware. His heart was with the settlements of which he had been the pioneer; and, a few weeks before his death, he exhorted Friends in America to be the light of the world, the salt to preserve earth from corruption. Covetousness, he adds, is idolatry; and he bids them beware of that "idol for which so many lose morality and humanity,"

1691. On his death-bed, the venerable apostle of equality  
 Jan.  
 13. was lifted above the fear of dying, and, esteeming the change hardly deserving of mention, his thoughts turned to the New World. Pennsylvania, and Delaware, and West New Jersey, and now Rhode Island, and in some measure North Carolina, were Quaker states; as his spirit, awakening from its converse with shadows, escaped from the exile of fallen humanity, nearly his last words were—"Mind poor Friends in America." His works praise him. Neither time nor place can dissolve fellowship with his spirit. To his name William Penn left this short epitaph—"Many sons have done virtuously in this day; but, dear GEORGE, thou excellest them all."

Were his principles thus excellent? An opposite system was developed in the dominions of the duke of York.

## CHAPTER XVII.

## JAMES II. CONSOLIDATES THE NORTHERN COLONIES.

THE country which, after the reconquest of the New Netherlands, was again conveyed to the duke of York, included the New England frontier from the Kennebec to the Saint Croix, extended continuously to Connecticut River, and was bounded on the south by Maryland. We have now to trace an attempt to consolidate the whole coast north of the Delaware.

CHAP.  
XVII.  
1674.  
June  
29.

The charter from the king sanctioned whatever ordinances the duke of York or his assigns might establish; and in regard to justice, revenue, and legislation, Edmund Andros, the governor, was left responsible only to his own conscience and his employer. He was instructed to display all the humanity and gentleness that could consist with arbitrary power; and to use punishments not from wilful cruelty, but as an instrument of terror. On the last day of October, he received the surrender of the colony from the representatives of the Dutch, and renewed the absolute authority of the proprietary. The inhabitants of the eastern part of Long Island resolved, in town-meetings, to adhere to Connecticut. The charter certainly did not countenance their decision; and, unwilling to be declared rebels, they submitted to New York.

In the following summer, Andros, with armed sloops, proceeded to Connecticut to vindicate his jurisdiction

1675.  
July 2.

- CHAP. XVII. as far as the river. On the first alarm, William Leet, the aged deputy-governor, one of the first seven pillars of the church of Guilford, educated in England as a lawyer, a rigid republican, hospitable even to regicides, convened the assembly. A proclamation was unanimously voted, and forwarded by express to Bull, the captain of the company on whose firmness the independence of the little colony rested. It arrived just as
1675. July 10. 11. Andros, hoisting the king's flag, demanded the surrender of Saybrook Fort. Immediately the English colors were raised within the fortress. Despairing of victory, Andros attempted persuasion. Having been allowed to land with his personal retinue, he assumed authority, and in the king's name ordered the duke's patent, with his own commission, to be read. In the king's name, he was commanded to desist; and Andros was overawed by the fishermen and farmers who formed the colonial troops. Their proclamation he called a slender affair, and an ill requital for his intended kindness. The Saybrook militia, escorting him to his boat, saw him sail for Long Island; and Connecticut, resenting the aggression, made a declaration of its wrongs, sealed it with its seal, and transmitted it to the neighboring plantations.
1676. In New York itself Andros was hardly more welcome than at Saybrook; for the obedient servant of the duke of York discouraged every mention of assemblies, and levied customs without the consent of the people. But, since the Puritans of Long Island claimed a representative government as an inalienable English birthright, and the whole population opposed the ruling system as a tyranny, the governor, who was personally free from vicious dispositions, advised his master to concede legislative franchises.

The dull James II., then duke of York, of a fair <sup>CHAP. XVII.</sup> complexion and an athletic frame, was patient in details, yet singularly blind to universal principles, plod- <sup>1676.</sup> ding with sluggish diligence, but unable to conform conduct to a general rule. Within narrow limits he reasoned correctly; but his vision did not extend far. Without sympathy for the crowd, he had no discernment of character, and was the easy victim of duplicity and intrigue. His loyalty was but devotion to the prerogative which he hoped to inherit. Brave in the face of expected dangers, an unforeseen emergency found him pusillanimously helpless. He kept his word sacredly, unless it involved complicated relations, which he could scarcely comprehend. Spiritual religion is an enfranchising power, expanding and elevating the soul; a service of forms was analogous to the understanding of James; to attend mass, to build chapels, to risk the kingdom for a rosary,—this was within his grasp; he had no clear perception of religious truth. Freedom of conscience, always an ennobling conception, was, in that age, an idea yet standing on the threshold of the world, waiting to be ushered in; and none but exalted minds—Roger Williams and Penn, Vane, Fox, and Bun- <sup>1677.</sup> yan—went forth to welcome it; no glimpse of it reached James, whose selfish policy, unable to gain immediate dominion for his persecuted priests and his confessor, begged at least for toleration. Debauching a woman on promise of marriage, he next allowed her to be traduced as having yielded to frequent prostitution, and then married her; he was conscientious, but his moral sense was as slow as his understanding. He was not bloodthirsty; but to a narrow mind fear seems the most powerful instrument of government, and he propped his throne with the block and the gallows.

CHAP. XVII. Life of James II. 5. 6.  
 A libertine without love, a devotee without spirituality, an advocate of toleration without a sense of the natural right to freedom of conscience,—in him the muscular force prevailed over the intellectual. He floated between the sensuality of indulgence and the sensuality of superstition, hazarding heaven for an ugly mistress, and, to the great delight of abbots and nuns, winning it back again by pricking his flesh with sharp points of iron, and eating no meat on Saturdays. Of the two brothers, the duke of Buckingham said well, that Burnet. Charles would not, and James could not see. James 1677. put his whole character into his reply to Andros, which Jan. 1. is as follows :—

“I cannot but suspect assemblies would be of dangerous consequence ; nothing being more known than the aptness of such bodies to assume to themselves many privileges, which prove destructive to, or very often disturb, the peace of government, when they are allowed. Neither do I see any use for them. Things that need redress may be sure of finding it at the quarter sessions, or by the legal and ordinary ways, or, lastly, by appeals to myself. However, I shall be ready to consider of any proposal you shall send.”

In November, some months after the province of Sagadahock, that is, Maine beyond the Kennebec, had been protected by a fort and a considerable garrison, Andros hastened to England ; but he could not give eyes Nov. 1678. to the duke ; and, on his return, he was ordered to continue the duties, which, at the surrender, had been 1679. established for three years. In the next year, the revenue was a little increased. Meantime the Dutch Calvinists had been inflamed by an attempt to thwart the discipline of the Dutch Reformed church. Yet it should be added, that the taxes were hardly three per

cent. on imports, and really insufficient to meet the ex-  
 penses of the colony; while the claim to exercise pre-  
 rogative in the church was abandoned. As in the days <sup>CHAP. XVII.</sup> 1678.  
 of Lovelace, the province was "a terrestrial Canaan. The inhabitants were blessed in their basket and their store. They were free from pride; and a wagon gave as good content as in Europe a coach; their home-made cloth as the finest lawns. The doors of the low-roofed houses, which luxury never entered, stood wide open to charity, and to the stranger."<sup>1</sup> The Island of New York may, in 1678, have contained not far from three thousand inhabitants; in the whole colony there could not have been far from twenty thousand. Ministers were scarce, but welcome, and religions many; the poor were relieved, and beggars unknown. A thousand pounds were opulence; the possessor of half that sum was rich. The exports were land productions—wheat, lumber, tobacco—and peltry from the Indians. In the community, composed essentially of farmers, great equality of condition prevailed; there were but "few merchants," "few servants, and very few slaves."

What was wanting to the happiness of the people? Prompted by an exalted instinct, they demanded power to govern themselves. Discontent created a popular convention; and if the two Platts, Titus, Wood, and Wicks of Huntington, arbitrarily summoned to New York, were still more arbitrarily thrown into prison, the fixed purpose of the yeomanry remained unshaken. <sup>1681. Wood, 90.</sup>

The government of New York was quietly maintained over the settlements south and west of the Delaware, till they were granted to Penn; over the

<sup>1</sup> Denton's New York, printed in government, p. 19 and 20. Andros, 1670, describes it under the duke's in Chalmers, 601, &c.

CHAP.  
XVII.

Jerseys Andros claimed a paramount authority. We have seen the Quakers refer the contest for decision to an English commission.

1675. In East New Jersey, Philip Carteret had, as the deputy of Sir George, resumed the government, and, gaining popularity by postponing the payment of quit-rents, confirmed liberty of conscience with representative government. A direct trade with England, unencumbered by customs, was encouraged. The commerce of New York was endangered by the competition; and, disregarding a second patent from the

1678. duke of York, Andros claimed that the ships of New  
Oct.  
10. Jersey should pay tribute at Manhattan. After long altercations, and the arrest of Carteret, terminated only by the honest verdict of a New York jury, Andros again

1680. entered New Jersey, to intimidate its assembly by the  
June 2. royal patent to the duke. The people of New Jersey could not, as in the happier Connecticut, plead an earlier grant from the king. But when were Puritans at a loss for arguments in favor of freedom? "We are the representatives of the freeholders of this province;"—such was the answer of the assembly;—"his majesty's patent, though under the great seal, we dare not grant to be our rule or joint safety; for the great charter of England, alias Magna Charta, is the only rule, privilege, and joint safety of every free-born Englishman."<sup>1</sup>

The firmness of the legislature preserved the independence of New Jersey; the decision of Sir William Jones protected its people against arbitrary taxation; its prosperity sprung from the miseries of Scotland. The trustees of Sir George Carteret, tired of the burden

<sup>1</sup> Gordon's New Jersey, 47.

of colonial property, exposed their province to sale ; and the unappropriated domain, with jurisdiction over the five thousand already planted on the soil, was purchased by an association of twelve Quakers, under the auspices of William Penn. A brief account of the province was immediately published ; and settlers were allured by a reasonable eulogy on its healthful climate and safe harbors, its fisheries and abundant game, its forests and fertile soil, and the large liberties established for the encouragement of adventurers. Possession was soon taken by Thomas Rudyard,<sup>1</sup> as governor or agent for the purchasers ; the happy country seemed rich in natural resources beyond its neighbors, and was already tenanted by a sober, professing people. Meantime the twelve proprietors selected each a partner ; and to the twenty-four, among whom was the timorous, cruel, iniquitous Perth, afterwards chancellor of Scotland, and the amiable, learned, and ingenious Barclay, a new and latest patent of East New Jersey was granted by the duke of York. From Scotland the largest emigration was expected ; and to its people an argument was addressed in favor of removing to a country where there was room for a man to flourish without wronging his neighbor. "It is judged the interest of the government"—such was the address of George Scot of Pitlochrie to his countrymen, apparently with the sanction of men in power—"to suppress Presbyterian principles altogether ; the whole force of the law of this kingdom is levelled at the effectual bearing them down. The rigorous putting these laws in execution hath in a great part ruined many of those who, notwithstanding

CHAP.  
XVII.1682.  
Feb. 1  
and 21682,  
1683.1683.  
March  
14.

1684.

<sup>1</sup> Smith, p. 166, 167, makes him Barclay's deputy. It cannot be. He came before Barclay was com-

missioned. His printed letter is May 30, and Barclay's commission is of the following July 17th.



CHAP. thereof, find themselves in conscience obliged to retain  
XVII. these principles. A retreat, where, by law, a toleration  
is allowed, doth at present offer itself in America, and  
is no where else to be found in his majesty's do-  
minions."

This is the era at which East New Jersey, till now  
chiefly colonized from New England, became the asy-  
lum of Scottish Presbyterians. Who has not heard of  
the ruthless crimes by which the Stuarts attempted to  
plant Episcopacy in Scotland, on the ruins of Calvinism,  
and extirpate the faith of a whole people? To whom  
1679. has the tale not been told of the defeat of Graham  
of Claverhouse on Loudon Hill, and the subsequent  
rout of the insurgent fanatics at Bothwell Bridge?  
Who has not heard of the Cameronians, hunted like  
beasts of prey, and exasperated by sufferings and  
despair? refusing, in face of the gallows, to say, "God  
save the king;" and charged even by their wives to die  
for the good old cause of the covenant? "I am but

1680. twenty," said an innocent girl at her execution; "and  
they can accuse me of nothing but my judgment."

The boot and the thumbikins could not extort confes-  
1681. sions. The condemnation of Argyle displayed the  
1682. prime nobility as "the vilest of mankind;" and wide-  
1683. spread cruelty exhausted itself in devising punishments.

Just after the grant of East New Jersey, a proclama-  
tion, unparalleled since the days when Alva drove the  
Netherlands into independence, proscribed all who had  
ever communed with rebels, and put twenty thousand  
lives at the mercy of informers. "It were better,"  
said Lauderdale, "the country bore windle straws and  
sand larks than boor rebels to the king." After the  
1684. insurrection of Monmouth, the sanguinary excesses of  
despotic revenge were revived, gibbets erected in vil-

lages to intimidate the people, and soldiers intrusted with the execution of the laws. Scarce a Presbyterian family in Scotland but was involved in proscriptions or penalties; the jails overflowed, and their tenants were sold as slaves to the plantations.

CHAP.  
XVII.  
1684.

Wed-  
row.

Maddened by the succession of military murders; driven from their homes to caves, from caves to morasses and mountains; bringing death to the inmates of a house that should shelter them, death to the benefactor that should throw them food, death to the friend that listened to their complaint, death to the wife or the father that still dared to solace a husband or a son; ferreted out by spies; hunted with packs of dogs,—the fanatics turned upon their pursuers, and threatened to retaliate on the men who should continue to imbrue their hands in blood. The council retorted by ordering a massacre. He that would not take the oath, should be executed, though unarmed; and the recusants were shot on the roads, or as they labored in the fields, or as they stood in prayer. To fly was a confession of guilt; to excite suspicion was sentence of death; to own the covenant was treason. The houses of the victims were set on fire; their families shipped for the colonies. “It never will be well with Scotland, till the country south of the Forth is reduced to a hunting-field.” The remark is ascribed to James. “I doubt not, sir, but to be able to propose a way how to gratifie all such as your majestie shall be pleased to thinke deserving of it, without touching your exchequer,” wrote Jeffries to James II., just as he had passed sentence of transportation on hundreds of Monmouth’s English followers. James II. sent the hint to the north, and in Scotland the business was equally well understood. The indemnity proclaimed on the acces- 1685.

CHAP. sion of James II. was an act of delusive clemency.  
XVII.

Every day wretched fugitives were tried by a jury of  
1685. soldiers, and executed in clusters on the highways ;  
women, fastened to stakes beneath the sea-mark, were  
drowned by the rising tide ; the dungeons were  
crowded with men perishing for want of water and air.  
The humanity of the government was barbarous ; of  
the shoals transported to America, the women were  
often burnt in the cheek ; the men marked by lopping  
off their ears.

Wed-  
row.

Is it strange, that many Scottish Presbyterians of  
1682 virtue, education, and courage, blending a love of popu-  
to lar liberty with religious enthusiasm, came to East New  
1687. Jersey in such numbers as to give to the rising common-  
wealth a character which a century and a half has not  
effaced ? The country had for its governor the gentle  
1683. Robert Barclay, a man whose soul breathed enthusiasm  
July and love, whose writings have the freshness and purity  
17. of the fragrant flowers of spring ; and whose merits as  
chief proprietary are attested by his wise selection of  
deputies, and by the peace and happiness of his colony.  
The territory, easy of access from its extended sea-  
board, its bays and rivers, flanked on the west by the  
safe outposts of the peaceful Quakers, was the abode  
of peace and abundance, of deep religious faith, and of  
honest industry. Peaches and vines grew wild on the  
river sides ; the woods were crimsoned with strawber-  
ries ; and “ brave oysters ” abounded along the shore.  
Brooks and rivulets, with “ curious clear water,” were  
as plenty as in the dear native Scotland ; the houses  
of the towns, unlike the pent villages of the old world,  
were scattered upon the several lots and farms ; the  
highways were so broad, that flocks of sheep could  
nibble by the roadside ; troops of horses ran at large,

and multiplied in the woods. In a few years, a law of the commonwealth, giving force to the common principle of the New England and the Scottish Calvinists, established a system of free schools. It was "a gallant, plentiful" country; the humblest laborer might soon turn farmer for himself. In all the borders of the colony, said Gawen Laurie, "there is not a poor body, or one that wants."

CHAP.  
XVII.

Thus the mixed character of New Jersey springs from the different sources of its people. Puritans, Covenanters, and Quakers, met on her soil; and their faith, institutions, and preferences, having life in the common mind, outlive the Stuarts.

Every thing breathed hope except the cupidity of the duke of York and his commissioners. They still struggled to levy a tax on the commerce of New Jersey, and at last to overthrow its independence.

The decision of Jones, which had for a season protected the commerce of New Jersey, roused the merchants of New York. The legality of customs arbitrarily assessed was denied by the grand jury; and Dyer, the collector, was indicted as a traitor against the king, for having encroached on the English liberties of New York. Without regard to the danger of the precedent, Dyer was sent for trial to England, where no accuser followed him. Meantime ships that entered Manhattan harbor visited no custom-house, and for a few short months the vision of free trade was realized.

Thus was New York left without a revenue, just as Andros returned to England; and the grand jury, the sheriff of Yorkshire, the provisional governor, the council, the corporation of New York, all joined to entreat for the people a share in legislation. The duke of York was at the same time solicited by those about him to

1682.  
Mar.

CHAP. sell the territory. He demanded the advice of one  
 XVII. who always advised honestly; and no sooner had the  
 1682. father of Pennsylvania, after a visit at New York,  
 Nov. transmitted an account of the reforms which the  
 province required, than, without delay, Thomas Don-  
 1683. gan, a Papist, came over as governor, with instructions  
 to convoke a free legislature.

At last, after long effort, on the seventeenth day of  
 Oct. 17. October, 1683, about seventy years after Manhattan  
 was first occupied, about thirty years after the demand  
 of the popular convention by the Dutch, the representa-  
 tives of the people met in assembly; and their self-  
 established "CHARTER OF LIBERTIES" gave New York  
 a place by the side of Virginia and Massachusetts.

"Supreme legislative power"—such was its declara-  
 tion—"shall forever be and reside in the governor, coun-  
 Albany cil, and people, met in general assembly. Every free-  
 Records. holder and freeman shall vote for representation without  
 restraint. No freeman shall suffer but by judgment of  
 his peers; and all trials shall be by a jury of twelve men.  
 No tax shall be assessed, on any pretence whatever, but  
 by the consent of the assembly. No seaman or soldier  
 shall be quartered on the inhabitants against their will.  
 No martial law shall exist. No person, professing  
 faith in God by Jesus Christ, shall at any time be any  
 ways disquieted or questioned for any difference of  
 opinion."

Thus did the collision of different elements eliminate  
 the intolerance and superstition of the early codes of  
 Puritanism.

1686, But the hope of a permanent representative govern-  
 1687. ment was to be deferred. It shows the true character  
 of James, that, on gaining power by ascending the  
 Wood English throne, he immediately threw down the insti-  
 103, 104.

tutions which he had conceded. A direct tax was decreed by an ordinance ; the titles to real estate were questioned, that larger fees and quitrents might be extorted ; and of the farmers of Easthampton who protested against the tyranny, six were arraigned before the council.

CHAP.  
XVII.  
Wood,  
103, 104.

While the liberties of New York were thus sequestered by a monarch who desired to imitate the despotism of France, its frontiers had no protection against encroachments from Canada, except in the valor of the Iroquois. The Mohawks, Oneidas, Onondagas, Cayugas, and Senecas, the Five Nations, dwelling near the river and the lakes that retain their names, formed a confederacy of equal tribes. The union of three of the nations precedes tradition ; the Oneidas and Senecas were younger associates. Each nation was a sovereign republic, divided again into clans, between which a slight subordination was scarcely perceptible. The clansmen dwelt in fixed places of abode, surrounded by fields of beans and of maize ; each castle, like a New England town or a Saxon hundred, constituted a little democracy. There was no slavery ; no favored caste. All men were equal. The union was confirmed by an unwritten compact ; the congress of the sachems, at Onondaga, like the Witena-gemots of the Anglo-Saxons, transacted all common business. Authority resided in opinion ; law in oral tradition. Honor and esteem enforced obedience ; shame and contempt punished offenders. The leading warrior was elected by the general confidence in his virtue and conduct ; merit alone could obtain preferment to office ; and power was as permanent as the esteem of the tribe. No profit was attached to eminent station, to tempt the sordid. As their brave men went forth to war, instead of martial

Albany  
Records,  
De Laet,  
Van der  
Donk,  
Van  
Meegen.  
Cham-  
plain,  
Lafiteau,  
La Hon-  
tan,  
Charle-  
voix.  
Colden,  
Sir W.  
John-  
son,  
Clinton,  
Galla-  
tin.

CHAP.  
XVII.

instruments, they were cheered by the clear voice of their leader. On the smooth surface of a tree from which the outer bark had been peeled, they painted their deeds of valor by the simplest symbols. These were their trophies and their annals; these and their war-songs preserved the memory of their heroes. They proudly deemed themselves supreme among mankind; men excelling all others; and hereditary arrogance inspired their young men with dauntless courage. When Hudson, John Smith, and Champlain, were in America together, the Mohawks had extended their strolls from the St. Lawrence to Virginia; half Long Island paid them tribute; and a Mohawk sachem was revered on Massachusetts Bay. The geographical position of their fixed abodes, including within their immediate sway the headlands not of the Hudson only, but of the rivers that flow to the gulfs of Mexico and St. Lawrence, the bays of Chesapeake and Delaware, opened widest regions to their canoes, and invited them to make their war-paths along the channels where New York and Pennsylvania are now perfecting the avenues of commerce. Becoming possessed of fire-arms by intercourse with the Dutch, they renewed  
1649. their merciless, hereditary warfare with the Hurons;  
1653 and, in the following years, the Eries, on the south  
to  
1655. shore of the lake of which the name commemorates their  
1656 existence, were defeated and extirpated. The Allegha-  
to  
1672. ny was next descended, and the tribes near Pittsburg, probably of the Huron race, leaving no monument but a name to the Guyandot River of Western Virginia, were subjugated and destroyed. In the west, the Miamis and the Illinois were reduced; and the wilderness between Ohio and the chain of lakes as far as the Mississippi was annexed by conquest to the empire of the Iroquois.

But the Five Nations had defied a prouder enemy. CHAP.  
XVII.  
 At the commencement of the administration of Dongan, 1676.  
 the European population of New France, which, in  
 1679, amounted to eight thousand five hundred and  
 fifteen souls, may have been a little more than ten  
 thousand; the number of men capable of bearing arms  
 was perhaps three thousand, about the number of war-  
 riors of the Five Nations. But the Iroquois were  
 freemen; New France suffered from despotism and  
 monopoly. The Iroquois recruited their tribes by  
 adopting captives of foreign nations; New France was  
 sealed against the foreigner and the heretic. For near-  
 ly fourscore years, hostilities had prevailed, with few  
 interruptions. Thrice did Champlain invade the coun-  
 try of the Mohawks, till he was driven with wounds 1609  
 and disgrace from their wilderness fastnesses. The to  
 Five Nations, in return, at the period of the massacre 1615.  
 in Virginia, attempted the destruction of New France. 1622,  
1623.  
 Though repulsed, they continued to defy the province  
 and its allies, and, under the eyes of its governor, 1637.  
 openly intercepted canoes destined for Quebec. The  
 French authority was not confirmed by founding a 1640.  
 feeble outpost at Montreal; and Fort Richelieu, at the 1642.  
 mouth of the Sorel, scarce protected its immediate en-  
 virons. Negotiations for peace led to no permanent 1645.  
 result; and even the influence of the Jesuit missiona-  
 ries, the most faithful, disinterested, and persevering  
 of their order, could not permanently restrain the san-  
 guinary vengeance of the barbarians. The Iroquois  
 warriors scoured every wilderness to lay it still more  
 waste; they thirsted for the blood of the few men  
 who roamed over the regions between Huron, Erie, and  
 Ontario. Depopulating the whole country on the 1649.  
 Outawas, they obtained an acknowledged superiority



CHAP. XVII. over New France, mitigated only by commercial relations of the French traders with the tribes that dwelt farthest from the Hudson. The colony was still in perpetual danger ; and Quebec itself was besieged.

To what use a winter's invasion of the country of the Mohawks? The savages disappeared, leaving their European adversaries to war with the wilderness.

By degrees the French made firmer advances ; and a fort built at the outlet of Ontario, for the purpose, as was pretended, of having a convenient place for treaties, commanded the commerce of the lake.

We have seen the Mohawks renew their alliance with the Dutch ; the English, on recovering New York, gave new attention to Indian affairs, and, by the confidence with which their friendship inspired the Iroquois, increased the dangers that hovered over New France.

The ruin which menaced Canada gave a transient existence to a large legislative council ; and an assembly of *notables* was convoked by De la Barre, the governor-general, to devise a remedy for the ills under which the settlements languished. It marks the character of the colonists, that, instead of demanding civil franchises, they solicited a larger garrison from Louis XIV.

The governor of New York had been instructed to preserve friendly relations with the French ; but Dongan refused to neglect the Five Nations. From the French traders who were restrained by a strict monopoly, the wild hunters of beaver turned to the English, who favored competition ; and their mutual ties were strengthened by an amnesty of past injuries.

Along the war-paths of the Five Nations, down the

Susquehannah, and near the highlands of Virginia, the proud Oneida, Onondaga, and Cayuga warriors had left bloody traces of their presence. The impending struggle with New France quickened the desire of renewing peace with the English; and the deputies from the Mohawks and the three offending tribes, soon joined by the Senecas, met the governors of New York and Virginia at Albany.

CHAP.  
XVII.1684.  
July  
13.

To the complaints and the pacific proposals of Lord Howard of Effingham, Cadianne, the Mohawk orator, replied :—

Colton.  
July  
14.

“Sachem of Virginia, and you, Corlaer, sachem of New York, give ear, for we will not conceal the evil that has been done.” The orator then rebuked the Oneidas, Onondagas, and Cayugas, for their want of faith, and gave them a belt of wampum, to quicken their memory. Then, turning to Effingham, he continued :—

“Great sachem of Virginia, these three beaver-skins are a token of our gladness that your heart is softened; these two of our joy, that the axe is to be buried. We are glad that you will bury in the pit what is past. Let the earth be trod hard over it; let a strong stream run under the pit, to wash the evil away out of our sight and remembrance, so that it never may be dugged up.

“You are wise to keep the covenant-chain bright as silver; and now to renew it and make it stronger. These nations are chain-breakers; we Mohawks”—as he spoke he gave two beavers and a raccoon—“we Mohawks have kept the chain entire. The covenant must be preserved; the fire of love of Virginia and Maryland, and of the Five Nations, burns in this place: this house of peace must be kept clean. We plant a tree whose top shall touch the sun, whose branches

CHAP. shall be seen afar. We will shelter ourselves under it,  
XVII. and live in unmolested peace."

1684. At the conclusion of the treaty, each of the three offending nations gave a hatchet to be buried. "We bury none for ourselves," said the Mohawks, "for we have never broken the ancient chain."

The axes were buried, and the offending tribes in noisy rapture chanted the song of peace.

Aug. "Brother Corlaer," said a chief for the Onondagas  
2. and Cayugas, "your sachem is a great sachem; and we are a small people. When the English came first to Manhattan, to Virginia, and to Maryland, they were a small people, and we were great. Because we found you a good people, we treated you kindly, and gave you land. Now, therefore, that you are great and we small, we hope you will protect us from the French. They are angry with us because we carry beaver to our brethren."

Aug. The envoys of the Senecas soon arrived, and expressed their delight, that the tomahawk was already  
5. buried, and all evil put away from the hearts of the English sachems. On the same day, a messenger from De la Barre appeared at Albany. But his complaints were unheeded. "We have not wandered from our paths," said the Senecas. "But when Onondio, the sachem of Canada, threatens us with war, shall we run away? Shall we sit still in our houses? Our beaver-hunters are brave men, and the beaver-hunt must be free." The sachems returned to nail the arms of the duke of York over their castles—a protection, as they thought, against the French—an acknowledgment, as the English deemed, of British sovereignty.

Meantime the rash and confident De la Barre, with six hundred French soldiers, four hundred Indian allies,

four hundred carriers, and three hundred men for a garrison, advanced to the fort which stood near the outlet of the present Rideau Canal. But the unhealthy exhalations of August on the marshy borders of Ontario disabled his army; and, after crossing the lake, and disembarking his wasted troops in the land of the Onondagas, he was compelled to solicit peace from the tribes whom he had designed to exterminate. The Mohawks, at the request of the English, refused to negotiate; but the other nations, jealous of English supremacy, desired to secure independence by balancing the French against the English. An Onondaga chief called Heaven to witness his resentment at English interference. "Onondio," he proudly exclaimed to the envoy of New York, "Onondio has for ten years been our father; Corlaer has long been our brother. But it is because we have willed it so. Neither the one nor the other is our master. He who made the world gave us the land in which we dwell. We are free. You call us subjects; we say we are brethren; we must take care of ourselves. I will go to my father, for he has come to my gate, and desires to speak with me words of reason. We will embrace peace instead of war; the axe shall be thrown into a deep water."

The deputies of the tribes repaired to the presence of De la Barre to exult in his humiliation. "It is well for you," said the eloquent Haaskouaun, rising from the calumet, "that you have left under ground the hatchet which has so often been dyed in the blood of the French. Our children and old men had carried their bows and arrows into the heart of your camp, if our braves had not kept them back.—Our warriors have not beaver enough to pay for the arms we have taken from the French; and our old men are not afraid of

CHAP.  
XVII.

1684.

La Hontan.

CHAP. war.—We may guide the English to our lakes. We are  
 XVII. born free. We depend neither on Onondio nor Corlaer.”

1684. Dismayed by the energy of the Seneca chief, the governor of Canada accepted a disgraceful treaty, leaving his allies at the mercy of their enemies.

Meantime fresh troops arrived from France, and De la Barre was superseded by Denonville, an officer whom Charlevoix extols as possessing, in a sovereign degree, every quality of a perfectly honorable man. His example, it is said, made virtue and religion more  
 1685. respectable: his tried valor and active zeal were enhanced by prudence and sagacity. But blind obedience paralyzes conscience and enslaves reason; and quiet pervaded neither the Five Nations nor the English provinces.

For the defence of New France, a fort was to be established at Niagara. The design, which would have  
 1686. controlled the entire fur-trade of the Upper Lakes, was  
 May. resisted by Dongan; for, it was said, the country south of the lakes, the whole domain of the Iroquois, is subject to England. Thus began the long contest for territory in the west. The limits between the English and French never were settled; but, for the present, the Five Nations of themselves were a sufficient bulwark against encroachments from Canada, and in the summer of 1686, a party of English traders penetrated even to Michilimackinac.

The gentle spirit which swayed William Penn at Shackamaxon did not find its way into the voluptuous councils of Versailles. “The welfare of my service”—  
 May 22. such were the instructions of Louis XIV. to the governor of New France—“requires that the number of the Iroquois should be diminished as much as possible. They are strong and robust, and can be made useful

Charle-  
voix.

as galley-slaves. Do what you can to take a large number of them prisoners of war, and ship them for France." By open hostilities, no captives could be made; and Lamberville, the missionary among the Onondagas, was unconsciously employed to decoy the Iroquois chiefs into the fort on Ontario. Invited to negotiate a treaty, they assemble without distrust, are surprised, put in irons, hurried to Quebec, and thence to Europe, and the warrior hunters of the Five Nations, who used to roam from Hudson's Bay to Carolina, were chained to the oar in the galleys of Marseilles. But the counsels of injustice are always fearfully avenged; and the sins of the fathers are jealously visited on the children unto the third and fourth generation. We shall hereafter have occasion to pursue the maritime destinies of a monarchy of which the fleets employed slaves for mariners.

Meantime the old men of the Onondagas summoned Lamberville to their presence. "We have much reason," said an aged chief, "to treat thee as an enemy, but we know thee too well. Thou hast betrayed us; but treason was not in thy heart. Fly, therefore, for when our young braves shall have sung their war-song, they will listen to no voice but the swelling voice of their anger." And trusty guides conducted the missionary through by-paths into a place of security. The noble forbearance was due to the counsel of Garonkonthié. Generous barbarian! your honor shall endure, if words of mine can preserve the memory of your deeds.

CHAP.  
XVII.  
1687.  
  
Charle-  
voix,  
511.

An incursion into the country of the Senecas followed. The savages retired into remoter forests; of the country which was overrun without resistance, possession was taken by the French, and a fort erected

CHAP.  
XVII.

at Niagara. France seemed to have gained firm possession of Western New York. But as the French army withdrew, the wilderness remained to its old inhabitants. The Senecas in their turn made a descent upon their still feebler enemy; and the Onondagas threatened war. "Onondio has stolen our sachems; he has broken," said they, "the covenant of peace;" and Dongan, at the solicitation of the French, offered himself as mediator, but only on condition that the kidnapped chiefs should be ransomed, the fort in the Iroquois country razed, and the spoils of the Senecas restored.

1688. The negotiations fail; and Haaskouaun advances with five hundred warriors to dictate the terms of peace. "I have always loved the French," said the proud chieftain to the foes whom he scorned. "Our warriors proposed to come and burn your forts, your houses, your granges, and your corn; to weaken you by famine, and then to overwhelm you. I am come to tell Onondio he can escape this misery, if within four days he will yield to the terms which Corlaer has proposed."

Twelve hundred Iroquois were already on Lake St. Francis; in two days they could reach Montreal. The haughty condescension of the Seneca chief was accepted, the ransom of the Iroquois chiefs conceded, and the whole country south of the chain of lakes rescued from the dominion of Canada. In the chain of events, New York owes its present northern boundary to the valor of the Five Nations. But for them Canada would have embraced the basin of the St. Lawrence.

Charle-  
voix,  
589.

1688. During these events, James II. had, in a treaty with Louis XIV., made it a condition of amity between the colonies of the two states, that neither should assist the

Indian tribes with whom the other might be at war. CHAP.  
XVII.  
Thus did the king of England ignorantly abandon his allies. Yet, with all his faults, James II. had a strong sentiment of English nationality ; and, in consolidating the northern colonies, he hoped to engage the energies of New England in defence of the whole English frontier.

The alarm of Massachusetts at the loss of its charter 1685.  
had been increased by the news that Kirke, afterwards infamous for military massacres in the West of England, was destined for its governor. It was a relief to find that Joseph Dudley, a degenerate son of the colony, was intrusted for a season with the highest powers of magistracy over the country from Narragansett to Nova Scotia. The general court, in session at his arrival, and unprepared for open resistance, dissolved their assembly, and returned in sadness to their homes. The charter government was publicly displaced by the arbitrary commission, popular representation abolished, and the press subjected to the censorship of Randolph. 1686.  
May  
15.  
May  
25.  
Nov.  
29.

At last, Sir Edmund Andros, glittering in scarlet and lace, landed at Boston, as governor of all New England. How unlike Penn at Newcastle ! He was authorized to remove and appoint members of his council, and, with their consent, to make laws, lay taxes, and control the militia of the country. He was instructed to tolerate no printing-press, to encourage Episcopacy, and to sustain authority by force. From New York came West as secretary ; and in the council, four subservient members, of whom but one was a New England man, alone commanded his attention. The other members of the council formed a fruitless but united opposition. "His excellency," said Randolph, "has to do with a perverse people." Dec.  
20.



**CHAP. XVII.**  
 A series of measures followed, the most vexatious and tyrannical to which men of English descent were ever exposed. "The wicked walked on every side; and the vilest men were exalted." As agents of James II., they established an arbitrary government; as men in office, they coveted large emoluments.

*Cotton  
Mather.*

The schools of learning, formerly so well taken care of, were allowed to go to decay. The religious institutions were impaired by abolishing the methods of their support. "It is pleasant," said the foreign agents of tyranny, "to behold poor cobblers and pitiful mechanics, who have neither home nor land, strutting and making no mean figure at their elections, and some of the richest merchants and wealthiest of the people stand by as insignificant cyphers;" and therefore a town-meeting was allowed only for the choice of town officers. The vote by ballot was rejected. To a committee from Lynn, Andros said plainly, "There is no such thing as a town in the whole country." To assemble in town-meeting for deliberation was an act of sedition or a riot.

*Lambeth  
MSS.  
841.*

1686.  
*Mar.  
16.* The vote by ballot was rejected. To a committee from Lynn, Andros said plainly, "There is no such thing as a town in the whole country." To assemble in town-meeting for deliberation was an act of sedition or a riot.

1687. Personal liberty and the customs of the country were disregarded. None might leave the country without a special permit. Probate fees were increased almost twenty fold. "West," says Randolph,—for dishonest men betray one another,—“extorts what fees he pleases, to the great oppression of the people, and renders the present government grievous.” To the scrupulous Puritans, the idolatrous custom of laying the hand on the Bible, in taking an oath, operated as a widely-disfranchising test.

The Episcopal service had never yet been performed within Massachusetts Bay, except by the chaplain of the hated commission of 1665. Its day of liberty was come. Andros demanded one of the meeting-houses

1686.  
*Dec.*

for the church. The wrongs of a century crowded on the memories of the Puritans as they answered, "We cannot with a good conscience consent." Goodman Needham declared he would not ring the bell; but at the appointed hour the bell rung; and the love of liberty did not expire, even though, in a Boston meeting-house, the common prayer was read in a surplice. By and by, the people were desired to contribute towards erecting a church. "The bishops," answered Sewall, and wisely, "would have thought strange to have been asked to contribute towards setting up New England churches."

CHAP.  
XVII.1687.  
Mar.  
25.1688.  
June  
23.

At the instance and with the special concurrence of James II., a tax of a penny in the pound, and a poll-tax of twenty pence, with a subsequent increase of duties, were laid by Andros and his council. The towns generally refused payment. Wilbore, of Taunton, was imprisoned for writing a protest. To the people of Ipswich, in town-meeting, John Wise, the minister who used to assert, "Democracy is Christ's government in church and state," advised resistance.—"We have," said he, "a good God and a good king; we shall do well to stand to our privileges."—"You have no privilege," answered one of the council, after the arraignment of Wise and the selectmen, "you have no privilege left you but not to be sold as slaves."—"Do you believe," demanded Andros, "Joe and Tom may tell the king what money he may have?" The writ of habeas corpus was withheld. The prisoners pleaded Magna Charta. "Do not think," replied one of the judges, "the laws of England follow you to the ends of the earth." And in his charge to the packed jury, Dudley spoke plainly, "Worthy gentlemen, we expect a good verdict from you." The verdict followed; and after imprisonment came heavy fines and partial disfranchisements.

1687.  
March  
3.Aug.  
23.Felt,  
123, 124,  
125.

CHAP. XVII.  
 ~~~~~  
 Oppression threatened the country with ruin; and the oppressors, quoting an opinion current among the mercantile monopolists of England, answered without disguise, "It is not for his majesty's interest you should thrive."

1687, 1688. The taxes, in amount not grievous, were for public purposes. But the lean wolves of tyranny were themselves hungry for spoils. In 1680, Randolph had hinted that "the Bostoneers have no right to government or land, but are usurpers." King James did indeed command, that "their several properties, according to their ancient records," should be granted them; the fee for the grants was the excuse for extortion. "All the inhabitants," wrote Randolph, exultingly, "must take new grants of their lands, which will bring in vast profits." Indeed, there was not money enough in the country to have paid the exorbitant fees which were demanded.

The colonists pleaded their charter; but grants under the charter were declared void by its forfeiture.—Lynde, of Charlestown, produced an Indian deed. It was pronounced "worth no more than the scratch of a bear's paw." Lands were held, not by a feudal tenure, but under grants from the general court to towns, and from towns to individuals. The town of Lynn produced its records; they were slighted "as not worth a rush." Others pleaded possession and use of the land. "You take possession," it was answered, "for the king."—"The men of Massachusetts did much quote Lord Coke;" but, defeated in argument by Andros, who was a good lawyer, John Higginson, minister of Salem, went back from the common law of England to the book of Genesis, and, remembering that God gave the earth to the sons of Adam to be subdued and

Lambeth MSS.
841.

Revolution in
N. E. 18,
19.

replenished, declared, that the people of New England held their lands "by the grand charter from God." CHAP. XVII.
 And Andros, incensed, bade him approve himself "a subject or a rebel." The lands reserved for the poor, generally all common lands, were appropriated by favorites; writs of intrusion were multiplied; and fees, amounting, in some cases, to one fourth the value of an estate, were exacted for granting a patent to its owner. A selected jury offered no relief. "Our condition," said Danforth, "is little inferior to absolute slavery;" and the people of Lynn afterwards gave thanks to God for their escape from the worst of bondage. "The governor invaded liberty and property after such a manner," said the temperate Increase Mather, "as no man could say any thing was his own."

1688.
Oct.
22.

The jurisdiction of Andros had, from the first, comprehended all New England. Against the charter of Rhode Island a writ of *quo warranto* had been issued. The judgment against Massachusetts left no hope of protection from the courts, submissive to the royal will; and the Quakers, acting under instructions from the towns, resolved not "to stand suit," but to appeal to the conscience of the king for the "privileges and liberties granted by Charles II., of blessed memory." Flowers were strown on the tomb of Nero; and the colony of Rhode Island had cause to bless the memory of Charles II. Soon after the arrival of Andros, he demanded the surrender of the charter. Walter Clarke, the governor, insisted on waiting for "a fitter season." Repairing to Rhode Island, Andros dissolved its government and broke its seal; five of its citizens were appointed members of his council; and a commission, irresponsible to the people, was substituted for the suspended system of freedom. That the magistrates levied moderate taxes,

1686.
May 5.
Ms.
Records.

Chalmers,
421.

1687.
Jan.
12.

CHAP. payable in wool or other produce, is evident from the
 XVII. records. It was pretended that the people of Rhode
 Island were satisfied, and did not so much as petition
 for their charter again.

1687. In the autumn of the same year, Andros, attended
 Oct. by some of his council, and by an armed guard, set
 26. forth for Connecticut, to assume the government of
 Rowell's MSS. that place. How unlike the march of Hooker and his
 peaceful flock! Dongan had in vain solicited the
 people of Connecticut to submit to his jurisdiction;
 yet they desired, least of all, to hazard the continuance
 of liberty on the decision of the dependent English
 courts. On the third writ of *quo warranto*, the colony,
 in a petition to the king, asserted its chartered rights,
 yet desired, in any event, rather to share the fortunes
 of Massachusetts than to be annexed to New York.

Oct. Andros found the assembly in session, and demanded
 31. the surrender of its charter. The brave Governor

Trumbull. Treat pleaded earnestly for the cherished patent, which
 had been purchased by sacrifices and martyrdoms, and
 was endeared by halcyon days. The shades of evening
 descended during the prolonged discussion; an anxious
 crowd of farmers had gathered to witness the debate.
 The charter lay on the table. Of a sudden, the lights
 are extinguished; and, as they are rekindled, the charter
 had disappeared. William Wadsworth, of Hartford,
 stealing noiselessly through the opening crowd, con-
 cealed the precious parchment in the hollow of an oak,
 which was older than the colony, and is yet standing
 to confirm the tale. Meantime Andros assumed the
 government, selected counsellors, and, demanding the
 records of Connecticut, to the annals of its freedom set
 the word FINIS. Should Connecticut resist, and alone
 declare independence? The colonists submitted; yet

their consciences were afterwards "troubled at their hasty surrender."

CHAP.
XVII.
Sewall,
MSS.

If Connecticut lost its liberties, the eastern frontier was depopulated. An expedition against the French establishments, which have left a name to Castine, roused the passions of the neighboring Indians; and Andros, after a short deference to the example of Penn, made a vain pursuit of a retreating enemy, who 1688. had for their powerful allies the savage forests and the inclement winter.

Not long after the first excursion to the east, the whole seaboard from Maryland to the St. Croix was united in one extensive despotism. The entire dominion, of which Boston, the largest English town in the New World, was the capital, was abandoned to Andros, its governor-general, and to Randolph, its secretary, with his needy associates. But the impoverished country disappointed avarice. The eastern part of Maine had already been pillaged by agents, who had been—it is Randolph's own statement—"as arbitrary as the Grand Turk;" and in New York also, there was, as Randolph expressed it, "little good to be done," for its people "had been squeezed dry by Dongan." But, on the arrival of the new commission, Andros hastened to the south to supersede his hated rival, and assume the government of New York and New Jersey.

Hutch.
Coll.
544.

July
30.

Sewall,
MSS.

The spirit which led forth the colonies of New England, kept their liberties alive; in the general gloom, the ministers preached sedition, and planned resistance. Once at least, to the great anger of the governor, they put by thanksgiving; and at private fasts they besought the Lord to repent himself for his servants, whose power was gone. The enlightened

1687,
1688.

Sewall,
MSS.

CHAP. XVII. Moody refused to despair, confident that God would yet "be exalted among the heathen."

1688. On the Lord's day, which was to have been the day of thanksgiving for the queen's pregnancy, the church was much grieved at the weakness of Allen, who, from the literal version of the improved Bay Psalm Book, gave out,—

| | |
|-----------------------------------|--------------------------------|
| "Jehovah, in thy strength | The king shall joyful be, |
| And joy in thy salvation, | How vehemently shall hee! |
| Thou granted hast to him | That which his heart desired, |
| And thou hast not withholden back | That which his lips required." |

But Willard, while, before prayer, he read, among many other notices, the occasion of the governor's gratitude, and, after Puritan usage, interceded largely for the king, "otherwise altered not his course one jot," and, as the crisis drew near, goaded the people with the text, "Ye have not yet resisted unto blood, warring against sin."

Yet desperate measures were postponed, that one of the ministers might make an appeal to the king; and Increase Mather, escaping the vigilance of Randolph, was already embarked on the dangerous mission for redress. But relief came from a revolution of which the influence was to pervade the European world.

1660 to 1688. On the restoration of Charles II., the Puritan or republican element lost all hope of gaining dominion; and the history of England, during its next period, is but the history of the struggle for a compromise between the republican and the monarchical principle. The contest for freedom was continued, yet within limits so narrow as never to endanger the existence, or even question the right, of monarchy itself. The people had attempted a democratic revolution, and had failed; it was now willing to wait and watch the

movements of the property of the country, and, no longer struggling to control events, ranged itself generally, yet without enthusiasm, on the side of the more liberal and tolerant party of the aristocracy. CHAP.
XVII.

The ministry of Clarendon, the first after the restoration, acknowledged the indefeasible sovereignty of the king, and sought in the prelates and high nobility the natural allies to the royal prerogative. Its policy, not destitute of honest nationality, nor wholly regardless of English liberties, yet renewed intolerance, and, while it respected a balance of powers, claimed the preponderance for the monarch. But twenty years of freedom had rendered the dominion of the Church of England impossible. England was dissatisfied ; ceasing to desire a republic, she still demanded greater security for freedom. But as no general election for parliament was held, a change of ministry could be effected only by a faction within the palace. The royal council sustained Clarendon ; the rakes about court, railing at his moroseness, echoed the popular clamor against him. His overthrow " was certainly designed in Lady Castlemaine's chamber ;" and, as he retired at noonday from the audience of dismissal, she ran undressed from her bed into her aviary, to enjoy the spectacle of the fallen minister, and " bless herself, at the old man's going away." The gallants of Whitehall crowded to " talk to her in her bird-cage."—"You," said they to her, as they glanced at the retiring chancellor, "you are the bird of passage." Pepys.

The administration of the king's cabal followed. England had demanded a liberal ministry ; it obtained a dissolute one : it had demanded a ministry not enslaved to prelacy ; it obtained one indifferent to all religion, and careless of every thing but pleasure. Buckingham, the noble buffoon at its head, debauched other men's

CHAP. XVII. wives, fought duels, and kept about him a train of voluptuaries; but he was not, like Clarendon, a tory by system; far from building up the exclusive Church of England, he ridiculed bishops as well as sermons; and when the Quakers went to him with their hats on, to discourse on the equal rights of every conscience, he told them, that he was at heart in favor of their principle. English honor was wrecked; English finances became bankrupt; but the progress of the nation towards internal freedom was no longer opposed with steadfast consistency; and England was better satisfied than it had been with the wise and virtuous Clarendon.

Dean.

As the tendency of the cabal became apparent, a new division necessarily followed: the king was surrounded by men who still desired to uphold the prerogative, and stay the movement of the age; while Shaftesbury, always consistent in his purpose, "unwilling to hurt the king, yet desiring to keep him tame in a cage;" averse to the bishops, because the bishops would place prerogative above liberty; averse to democracy, because democracy would substitute freedom for privilege,—in organizing a party, afterwards known as the whig party, suited himself to the spirit of the times. It was an age of progress towards liberty of conscience; Shaftesbury favored toleration: it was an age when the vast increase of commercial activity claimed for the moneyed interest an influence in the government; Shaftesbury always lent a willing ear to the merchants. Commerce and Protestant toleration were the elements of his power over the public mind. He did not so much divide dominion with the merchants and the Presbyterians, as act as their patron; having himself for his main object to keep "the bucket" of the aristocracy from sinking. The declaration of in-

1671
to
1673.
North.

Locke.

1672. the aristocracy from sinking. The declaration of in-

dulgence, an act of high prerogative, yet directed against the friends of prerogative, was his measure. Immediately freedom of conscience awakened in English industry unparalleled energies, and Shaftesbury, the skeptic chancellor, was eulogized as the savior of religion. Had the king been firm, the measure would probably have succeeded. The king wavered; for he feared the dissenters: the Presbyterians wavered also; for how could they be satisfied with relief dependent on the royal pleasure? The seal of the declaration was broken in the king's presence; and Shaftesbury, confiding no longer in the favor of his fickle sovereign, courted a popular party by securing the passage of a test act against Papists, and advocating with power a bill for the ease of Protestant dissenters. Shaftesbury 1673. fell.

CHAP.
XVII.

Penn.
iii. 212.
213.

Under the Lord Treasurer Danby, the old Cavaliers 1673 recovered power. It was the day for statues to 1679. Charles I., and new cathedrals. To win strength for his party from the favor of Protestant opinion, Danby avowed his willingness to aid in crushing Popery, and he gave his influence to the Popish plot. But Shaftesbury was already sure of the merchants and dissenters. "Let the treasurer," exclaimed the fallen chancellor, "cry as loud as he pleases; I will cry a note louder, and soon take his place at the head of the plot;" and, indifferent to perjuries and judicial murders, he was successful. In the subservient house of commons, there were many corrupt members who would never have been elected but in the first fit of loyalty at the restoration. Danby preferred the unfitness of a perpetual parliament to the hazard of a new election, and, by pensions and rewards, purchased the votes of the profligate. But knavery has a wisdom of its own; the

CHAP. XVII. profligate members had a fixed maxim, never to grant so much at once that they should cease to be wanted ; and, discovering the intrigues of Danby for a permanent revenue from France, they were honorably true to nationality, and true also to the base instinct of selfishness, they impeached the minister. To save the minister, this longest of English parliaments was dissolved.

1679.
Jan.
24.

When, after nineteen years, the people of England were once more allowed to elect representatives, the great majority against the court compelled a reorganization of the ministry ; and, by the force of public opinion, and of parliament, Shaftesbury, whom, for his mobility and his diminutive stature, the king called Little Sincerity, compelled the reluctant monarch to appoint him lord president of the council. The event is an era in English history. Ministers had been impeached and driven from office by the commons. It is the distinction of Shaftesbury, that he was the first statesman to attain the guidance of a ministry through parliament by means of an organized party, and against the wishes of the king. In the cabinet, the bill of exclusion of the duke of York from the succession was demanded ; a bill for that purpose was introduced into the house of commons ; and it was observed, that the young men cried up every measure against the duke ;

April
21.

James,
i. 548.

“like so many young spaniels, that run and bark at every lark that springs.”—“The axe,” wrote Charles, “is laid to the root ; and monarchy must go down too, or bow exceeding low before the almighty power of parliament ;” and just after Shaftesbury, who, as chancellor, had opened the prison-doors of Bunyan, now, as president of the council, had procured the passage of the habeas corpus act, the commons were prorogued and dissolved. Shaftesbury was displaced,

James,
i. 551.
Mackin-
toch.
James,
ii. 681.
1679.
May
27.

and henceforward the councils of the Stuarts inclined to absolutism.

CHAP.
XVII.

Immediately universal agitation roused the spirit of the nation. Under the influence of Shaftesbury's genius, on Queen Elizabeth's night, a vast procession, bearing devices and wax figures representing nuns and monks, bishops in copes and mitres, and also—it should be observed, for it proves how much the Presbyterians were courted—bishops in lawn, cardinals in red caps, and, last of all, the pope of Rome, side by side in a litter with the devil, moved through the streets of London, under the glare of thousands of flambeaux, and in the presence of two hundred thousand spectators; the disobedient Monmouth was welcomed with bonfires and peals of bells; a panic was created, as if every Protestant freeman were to be massacred, every wife and daughter to be violated; the kingdom was divided into districts among committees to procure petitions for a parliament, one of which had twenty thousand signatures, and measured three hundred feet; and at last the most cherished Anglo-Saxon institution was made to do service, when Shaftesbury, proceeding to Westminster, represented to the grand jury the mighty dangers from Popery, indicted the duke of York as a recusant, and reported the duchess of Portsmouth, the king's new mistress, as “a common neusance.” The extreme agitation was successful; and in two successive parliaments, in each of which men who were at heart dissenters had the majority, the bill for excluding the duke of York was passed by triumphant votes in the house of commons, and defeated only by the lords and the king.

Penn.
H. 181.
1679.
Oct. 5.

Dryden.

1680.
June
16.

1680.
Oct.
and
1681,
Mar.

Penn.

But the public mind, firm, even to superstition, in its respect for hereditary succession, was not ripe for

CHAP. the measure of exclusion. After less than a week's
 XVII. session, Charles II. dissolved the last parliament of his
 1681. reign, and appealed to the people against his enemies.
 March To avoid the charge of despotism, he still hanged a
 21 to Papist whom he knew to be innocent ; and his friends
 27. declared him to have no other purpose than to resist
 the arbitrary sway of "a republican prelacy," and the
 installation of the multitude in the chair of infallibility.
 The ferocious intolerance which had sustained the Popish
 plot, lost its credit ; men dreaded anarchy and civil
 war more than they feared the royal prerogative.

The king had already exercised the power of restricting the liberty of the press ; through judges, who held places at his pleasure, he was supreme in the courts ; omitting to convoke parliament, he made himself irresponsible to the people ; pursuing a judicial warfare against city charters and the monopolies of boroughs, he reformed many real abuses, but, at the same time, subjected the corporations to his influence. Controlling the appointment of sheriffs, he controlled the nomination of juries ; and thus, in the last three or four years of the reign of King Charles II., the government of England was administered as an absolute monarchy. An "association" against the duke of York could not succeed among a calculating aristocracy, as the Scottish covenant had done among a faithful people ; and, on its disclosure and defeat, the voluntary exile of Shaftesbury excited no plebeian regret. No deep popular indignation attended Russel to the scaffold ; and on the day on which the purest martyr to aristocratic liberty laid his head on the block, the university of Oxford decreed absolute obedience to be the character of the Church of England, while parts of the writings of Knox, Milton, and Baxter, were pronounced

“false, seditious and impious, heretical and blasphemous, infamous to the Christian religion, and destructive of all government,” and were therefore ordered to be burnt. Algernon Sidney followed to the scaffold. CHAP.
XVII.
1683.
Dec. 7.

Thus liberty, which excited loyalty, at the restoration, banished from among the people, made its way through rakes and the king's mistress into the royal councils. Driven from the palace, it appealed to parliament and the people, and won power through the frenzied antipathy to Roman Catholics. Exiled from parliament by their dissolution, from the people by the ebb of excitement, it concealed itself in an aristocratic association and a secret aristocratic council. Chased from its hiding-place by disclosures and executions, and having no hope from parliament, people, the press, the courts of justice, the king, it left the soil of England, and fled for refuge to the country of the prince of Orange.

How entirely monarchy had triumphed in England, 1685. appeared on the death of Charles II. His brother, whom the commons, in three successive parliaments, had desired to exclude, ascended the throne without opposition, continued taxes by his prerogative, easily suppressed the insurrection of Monmouth, convened a parliament, under the new system of charters, so subservient, that it bowed its back to royal chastisement; while the “Presbyterian rascals,” the troublesome Calvinists, who, from the days of Edward VI., had kept English liberty alive, were consigned to the courts of law. “Richard,” said Jefferies to Baxter, “Richard, thou art an old knave; thou hast written books enough to load a cart, every one as full of sedition as an egg is full of meat. I know thou hast a mighty party, and a great many of the brotherhood are waiting in corners

CHAP. XVII. to see what will become of their mighty Don ; but, by the grace of Almighty God, I'll crush you all ;" and the docile jury found "the main incendiary" guilty of sedition. Faction had ebbed ; "rogues" had grown out of fashion ; there was nothing left for them but to "thrive in the plantations" of our America, and learn, said the royalists,

"How Pennsylvania's air agrees with Quakers,
And Carolina's with Associators ;
Both e'en too good for madmen and for traitors.
Truth is, the land with saints is so run o'er,
And every age produces such a store,
That now there's need of two New Englands more."

But the tide of liberty was still swelling, and soon wafted the "saints," and "rogues," and "rascals," to their deliverance.

James,
I. 306.

To understand fully the revolution which followed, it must be borne in mind, that the great mass of dissenters were struggling for liberty ; but, checked by the memory of the disastrous issue of the previous revolution, they ranged themselves, with deliberate moderation, under the more liberal party of the aristocracy. Of Cromwell's army, the officers had been, "for the most part, the meanest sort of men, even brewers, cobblers, and other mechanics ;" recruits for the camp of William of Orange were led by bishops and the high nobility. There was a vast popular movement, but it was subordinate ; the proclamation of the prince took notice of the people only as "followers" of the gentry. Yet the revolution of 1688 is due to the dissenters quite as much as to the whig aristocracy ; to Baxter hardly less than to Shaftesbury. It is the consummation of the collision which, in the days of Henry VIII. and Edward, began between the Churchmen and the Puri-

tans, between those who invoked religion on the side of passive obedience, and those who esteemed religion superior to man, and held resistance to tyranny a Christian duty. If the whig aristocracy looked to the stadtholder of aristocratic Holland as the defender of their privileges, Baxter and the Presbyterians saw in William the Calvinist their tolerant avenger.

CHAP.
XVII.

Of the two great aristocratic parties which led the politics of England, both respected the established British constitution. But the tory opposed reform, and leaned to the past; he defended his privileges against the encroachments of advancing civilization. The bishops, claiming for themselves a divine right by direct succession, were his natural allies; and to defend the indefeasible rights of the bishops, of the aristocracy, and of the king, against dissenters, republicans, and whigs, was his whole purpose.

The whigs were also a party of the aristocracy, bent on the preservation of their privileges against the encroachments of the monarch. In an age that demanded liberty, the whigs, scarce proposing new enfranchisements, gathered up every liberty, feudal or popular, known to English law, and sanctioned by the fictitious compact of prescription. In a period of progress in the enfranchisement of classes, they shared political influence with the merchants and bankers; in an age of religious sects, they embraced the more moderate and liberal of the Church of England, and those of the dissenters whose dissent was the least glaring; in an age of speculative inquiry, they favored freedom of the press. How vast was the party, is evident, since it cherished among its numbers men so opposite as Shaftesbury and Sidney, as Locke and Baxter.

These two parties embraced almost all the wealth

CHAP. and learning of England. But there was a third party
 XVII. of those who were pledged to "seek, and love, and
 ~~~~~ choose the best things." They insisted that all penal  
 statutes and tests should be abolished; that, for all  
 classes of nonconformists, whether Roman Catholics  
 or dissenters, for the plebeian sects, "the less noble  
 Penn. and more clownish sort of people," "the unclean  
 kind," room should equally be made in the English  
 ark; that the Church of England, content with its  
 estates, should give up jails, whips, halters, and gibbets,  
 and cease to plough the deep furrows of persecution;  
 that the concession of equal freedom would give  
 strength to the state, security to the prince, con-  
 tent to the multitude, wealth to the country, and  
 would fit England for its office of asserting European  
 liberty against the ambition of France; that reason,  
 natural right, and public interest, demanded a glorious  
 magna charta for intellectual freedom, even though the  
 grant should be followed by "a dissolution of the great  
 corporation of conscience." These were the views  
 which were advocated by William Penn against what  
 he calls "the prejudices of his times;" and which  
 overwhelmed his name with obloquy as a friend to  
 tyranny and a Jesuit priest in disguise.

1685. But the easy issue of the contest grew out of a  
 1686. division in the monarchical party itself. James II.  
 could not comprehend the value of freedom, or the  
 obligation of law. The writ of habeas corpus he  
 esteemed inconsistent with monarchy, and "a great  
 misfortune to the people." A standing army, and the  
 terrors of corrupt tribunals, were his dependence; the  
 pupil of Turenne delighted in military parades; the  
 Catholic convert, swayed by his confessor, dispensed  
 with the laws, multiplied Catholic chapels, rejoiced in

the revocation of the edict of Nantz, and sought to intrust civil and military power to the hands of Roman Catholics. CHAP.  
XVII.

The bishops had unanimously voted against his exclusion ; and, as the badge of the Church of England was obedience, he for a season courted the alliance of "the fairest of the spotted kind," the only tolerable Protestant sect. To win her favor for Roman Catholics, he was willing to persecute Protestant dissenters. This is the period of the influence of Rochester.

The Church of England refused the alliance. The king would now put no confidence in any zealous Protestant ; he applauded the bigotry of Louis XIV., from whom he solicited money. "I hope," said he, "the king of France will aid me, and that we together shall do great things for religion ;" and the established church became the object of his implacable hatred. "Her day of grace was past." The royal favor was withheld, that it might silently waste and dissolve like snows in spring. To diminish its numbers, and apparently from no other motive, he granted—what Sunderland might have done from indifference, and Penn from love of justice—equal franchises to every sect ; to the powerful Calvinists and to the "puny" Quaker, to Anabaptists and Independents, and "all the wild increase" which unsatisfied inquiry could generate. The declaration of indulgence was esteemed a death-blow to the church, and a forerunner of the reconciliation of England to Rome. The established franchises of Oxford were invaded, that its rich endowments might be shared among the Catholics ; the bishops were imprisoned, because they would not publish in their churches the declaration, of which the purpose was

CHAP.  
XVII.

their defeat; and, that the system of tyranny might be perpetuated, Heaven, as the monarch believed, blessed his pious pilgrimage to St. Winifred's Well, by the pregnancy of his wife and the birth of a son. The party of prerogative was trampled under foot; and, in their despair, they looked abroad for the liberty which they themselves had assisted to exile. The obedient Church of England set the example of rebellion. Thus are the divine counsels perfected. "What think you now of predestination?" demanded William, as he landed in England. Tories took the lead in inviting the prince of Orange to save the English church; the whigs joined to rescue the privileges of the nobility; the Presbyterians rushed eagerly into the only safe avenue to toleration; the people quietly acquiesced. King James was left alone in his palace. His terrified priests escaped to the continent; Sunderland was always false; his confidential friends betrayed him; his daughter Anne, pleading conscience, proved herself one of his worst enemies. "God help me," exclaimed the disconsolate father, bursting into tears, "my very children have forsaken me;" and his grief was increased by losing a piece of the true wood of the cross, that had belonged to Edward the Confessor. Paralyzed by the imbecility of doubt, and destitute of counsellors, the good soul fled beyond the sea, and gave up three kingdoms for a mass. Aided by falsehoods, the prince of Orange, without striking a blow, ascended the throne of his father-in-law, and Mary, by whose dishonest letters James was lulled into security, came over exultingly to occupy the throne, the palace, and the bed of her father, and sequester the inheritance of her brother.

Thus were the rights of Englishmen rescued from

danger ; thus did Protestant liberty, after a long struggle, achieve its triumph, and put an end forever to absolute power, in England, in the state and over mind. CHAP.  
XVII.

*Nolumus leges Angliæ mutari* blazed in golden letters on the standard of the rejoicing aristocracy, desiring to give immortality to their privileges. Humanity was present also, and rejoiced at the redemption of English liberties ; she reprovèd the unnatural conduct of daughters who drove their father into poverty and exile ; she sighed for the Roman Catholics who were oppressed, for the dissenters who were but tolerated ; and as, on the evening of the long struggle which had been bequeathed by Rogers and Hooper, and had lasted more than a century and a half, she selected a resting-place, it was but to gather strength, with the fixed purpose of renewing her journey on the dawn of morning.

The great news of the invasion of England, and the declaration of the prince of Orange, reached Boston on the fourth day of April, 1689. The messenger was immediately imprisoned ; but his message could not be suppressed ; and “ the preachers had already matured the evil design ” of a revolution. For the events that followed were “ not a violent passion of the rabble, but a long-contrived piece of wickedness.” 1689.  
  
Lambeth  
MSS.  
1025.

“ There is a general buzzing among the people, great with expectation of their old charter, or they know not what ; ” such was the ominous message of Andros to Brockholt, with orders that the soldiers should be ready for action. April  
16.

About nine o'clock of the morning of the 18th, just as George, the commander of the *Rose* frigate, stepped on shore, Green and the Boston ship-carpenters gathered about him, and made him a prisoner. The town took the April  
18.

CHAP.  
XVII.

alarm. The royalist sheriff hastened to quiet the multitude; and the multitude secured him as their prisoner.

1689. From him they hastened to the major of the regiment, and demanded colors and drums. He resisted; they threatened. The crowd increased; companies formed under Nelson, Foster, Waterhouse, their old officers; and already at ten they seized Bullivant, Foxcroft, and Ravenscraft. Boys ran along the streets with clubs; the drums beat: the governor, with his creatures, resisted in council, withdrew to the fort to desire a conference with the ministers and two or three more. The conference was declined. All the companies soon rallied at the town-house. Just then, the last governor of the colony, in office when the charter was abrogated, Simon Bradstreet, glorious with the dignity of fourscore years and seven, one of the early emigrants, a magistrate in 1630, whose experience connected the oldest generation with the new, drew near the town-house, and was received by a great shout from the freemen. The old magistrates were reinstated, as a council of safety; the whole town rose in arms, "with the most unanimous resolution that ever inspired a people;" and a Declaration, read from the balcony, defended the insurrection as a duty to God and the country. "We commit our enterprise," it was added, "to Him who hears the cry of the oppressed, and advise all our neighbors, for whom we have thus ventured ourselves, to join with us in prayers and all just actions for the defence of the land."

Lambeth MSS.  
1085.

On Charlestown side, a thousand soldiers crowded together; and the multitude would have been larger if needed. The governor, vainly attempting to escape to the frigate, was, with his creatures, compelled to seek protection by submission; through

the streets where he had first displayed his scarlet coat and arbitrary commission, he and his fellows were marched to the town-house, and thence to prison.

CHAP.  
XVII.  
1689.  
April  
19.

On the next day, the country came swarming across the Charlestown and Chelsea ferries, headed by Shepherd, a schoolmaster of Lynn. All the cry was against Andros and Randolph. The castle was taken; the frigate was mastered; the fortifications occupied

Lambeth  
MSS.  
1088.

How should a new government be instituted? Town-meetings, before news had arrived of the proclamation of William and Mary, were held throughout the colony. Of fifty-four towns, forty certainly, probably more, voted to reassume the old charter. Representatives were chosen; and once more Massachusetts assembled in general court.

May  
22.

It is but a short ride from Boston to Plymouth. Already, on the twenty-second of April, Nathaniel Clark, the agent of Andros, was in jail; Hinckley resumed the government, and the children of the Pilgrims renewed the constitution which had been unanimously signed in the Mayflower. But not one of the fathers of the old colony remained alive. John Alden, the last survivor of the signers, famed for his frugal habits, and an arm before which forests had bowed, was silent in death. The days of the Pilgrims were over, and a new generation possessed the soil.

April  
22.

The royalists had pretended that "the Quaker grandees" of Rhode Island had imbibed nothing of Quakerism but its indifference to forms, and did not even desire a restoration of the charter. On May-day, their usual election-day, the inhabitants and freemen poured into Newport; and the whole "democracie" published

Lambeth  
MSS.  
841.

May  
1.

CHAP. to the world their gratitude "to the good providence  
XVII. of God, which had wonderfully supported their prede-

1689. cessors and themselves through more than ordinary difficulties and hardships."—"We take it to be our duty"—thus they continue—"to lay hold of our former gracious privileges, in our charter contained." And by a unanimous vote, the officers, whom Andros had displaced, were confirmed. But Walter Clarke wavered. For nine months there was no acknowledged chief magistrate. The assembly, accepting Clarke's disclaimer, 1690. Feb. 26. elected Almy. Again excuse was made. Did no one dare to assume responsibility? All eyes turned to one of the old Antinomian exiles, the more than octogenarian, Henry Bull; and the fearless Quaker, true to the light within, employed the last glimmerings of life to restore the democratic charter of Rhode Island. Once more its free government is organized: its seal is renewed; the symbol, an anchor; the motto, HOPE.

Massachusetts rose in arms, and perfected its revolution without concert; "the amazing news did soon fly like lightning;" and the people of Connecticut spurned the government, which Andros had appointed, and which they had always feared it was a sin to obey. The charter, discolored, but not effaced, was taken May 9. from its hiding-place; an assembly was convened; and, in spite of the FINIS of Andros, new chapters were begun in the records of freedom. Suffolk county, on Long Island, rejoined Connecticut.

New York also shared the impulse, but with less unanimity. "The Dutch plot" was matured by Jacob Leisler, a man of energy, but passionate and ill-educated, and not possessed of that happy natural sagacity which elicits a rule of action from its own instincts. But the common people among the Dutch, led by Leisler and

his son-in-law Milbourne, insisted on proclaiming the stadtholder king of England.

CHAP.  
XVII.

The peaceful inhabitants of New Jersey were left in a state of nature; their old governments were dissolved; and, in the simplicity and freedom of their wilderness, they were secure in their own innocence. —We have already seen that Maryland had also perfected a revolution; in which Protestant intolerance, as well as popular liberty, had acted its part. —The passions of the Mohawks also are kindled by the certain prospect of an ally; they chant their loudest war-song, and prepare to descend on Montreal.

1690.  
May  
31.

1689.

Thus did a popular insurrection, beginning at Boston, extend to the Chesapeake, and to the wilderness. This New England revolution “made a great noise in the world.” Its object was Protestant liberty; and William and Mary, the Protestant sovereigns, were proclaimed with rejoicings such as America had never before known in its intercourse with England.

Could it be that America was deceived in her confidence? that she had but substituted the absolute sovereignty of parliament, which to her would prove the sovereignty of a commercial aristocracy, for the despotism of the Stuarts? Boston was the centre of the revolution<sup>1</sup> which now spread to the Chesapeake; in less than a century, it would commence a revolution for humanity, and rouse a spirit of power to emancipate the world.

<sup>1</sup> The Lambeth MSS. used in this chapter I owe to the high-minded liberality of Francis L. Hawks, who insisted on my consulting freely the fruits of his researches among English archives. Could he have received aid from congress, he might have secured for the country

the unpublished American memorials, which abound in the public offices of England.

To J. B. Felt I am further indebted for an abstract of Sewall's Diary, and his own unpublished essay on the New England Revolution.



## CHAPTER XVIII.

## THE RESULT THUS FAR.

CHAP.  
XVIII.

THUS have we traced, almost exclusively from contemporary documents and records, the colonization of the twelve oldest states of our Union. At the period of the great European revolution of 1688, they contained not very many beyond two hundred thousand inhabitants, of whom MASSACHUSETTS, with Plymouth and Maine, may have had forty-four thousand; NEW HAMPSHIRE and RHODE ISLAND, with Providence, each six thousand; CONNECTICUT, from seventeen to twenty thousand; that is, all New England, seventy-five thousand souls;<sup>1</sup> NEW YORK, not less than twenty thousand; NEW JERSEY, half as many; PENNSYLVANIA and DELAWARE, perhaps twelve thousand; MARYLAND, twenty-five thousand; VIRGINIA, fifty thousand, or more; and the two CAROLINAS, which then included the soil of Georgia, probably not less than eight thousand souls.

The emigration of the fathers of these twelve commonwealths, with the planting of the principles on which they rested, though, like the introduction of Christian-

<sup>1</sup> Neal, ii. 601. Sir Wm. Petty, 73, says 150,000. Brattle says, in 1708, in N. England, from 100 to 190,000. This is right, and corresponds with other data. In the account for N. E. for 1688, I have confidence. Neal blunders about Boston, which, in 1790, had not 20,000, much less in 1720. The statements in the text are made by inductions, and are, I believe, substantially correct. The positive data in those days are half the time notoriously false; as the statements of Randolph. The account in Humphrey much underrates Virginia.

ity into Rome, but little regarded by contemporary writers, was the most momentous event of the seventeenth century. The elements of our country, such as she exists to-day, were already there.

CHAP.  
XVIII.

Of the institutions of the Old World, monarchy had no motive to emigrate, and was present only by its shadow; in the proprietary governments, by the shadow of a shadow. The feudal aristocracy had accomplished its mission in Europe; it could not gain new life among the equal hardships of the wilderness; in at least four of the twelve colonies, it did not originally exist at all, and, in the rest, had scarcely a monument except in the forms of holding property. Priestcraft did not emigrate; by the steadfast attraction of interest, it was retained in the Old World; to the forests of America, religion came as a companion; the American mind never bowed to an idolatry of forms; and there was not a prelate in the whole English part of the continent. The municipal corporations of the European commercial world, the close intrenchments of burghers against the landed aristocracy, could not be transferred to our shores, where no baronial castles demanded the concerted opposition of guilds. Nothing came from Europe but a free people. The people, separating itself from all other elements of previous civilization; the people, self-confiding and industrious; the people, wise by all traditions that favored popular happiness,—the people alone broke away from European influence, and in the New World laid the foundations of our republic;

“Plebeian, though ingenuous the stock  
From which her graces and her honors sprung.”

The people alone were present in power. Like Moses, they had escaped from Egyptian bondage to the wil-

Norton's  
Life of  
Cotton.

CHAP.  
XVIII.

derness, that God might there give them the pattern of the tabernacle. Like the favored evangelist, the exiles, in their western Patmos, listened to the angel that dictated the new gospel of freedom. Overwhelmed in Europe, popular liberty, like the fabled fountain of the sacred Arethusa, gushed forth profusely in remoter fields.

Of the nations of the European world, the chief emigration was from that Germanic race most famed for the love of personal independence. The immense majority of American families were not of "the high folk of Normandie," but were of "the low men," who were Saxons. This is true of New England; it is true of the south. Shall the Virginians be described in a word? They were Anglo-Saxons in the woods again, with the inherited culture and intelligence of the seventeenth century. "The major part of the house of burgesses now consisted of Virginians that never saw a town." The Anglo-Saxon mind, in its serenest nationality, neither distorted by fanaticism, nor subdued by superstition, nor wounded by persecution, nor excited by new ideas, but fondly cherishing the active instinct for personal freedom, secure possession, and legislative power, such as belonged to it before the reformation, and existed independent of the reformation, had made its dwelling-place in the empire of Powhatan. With consistent firmness of character, the Virginians welcomed legislative power; displaced an unpopular governor; at the overthrow of monarchy, established the freest government by happy intuition; rebelled against the politics of the Stuarts; and, uneasy at the royalist principles which prevailed in its forming aristocracy, soon manifested the tendency of the age at the polls. "The inclinations of the country," wrote Spotswood,

when the generation born during the period of Bacon's rebellion had grown to maturity, "are rendered mysterious by a new and unaccountable humor, which hath obtained in several counties, of excluding the gentlemen from being burgesses, and choosing only persons of mean figure and character." But Spotswood, a royalist, a High Churchman, a traveller, revered the virtues of the people. "I will do justice to this country," he writes to the bishop of London—and his evidence is without suspicion of a bias; "I have observed here less swearing and prophaneness, less drunkenness and debauchery, less uncharitable feuds and animosities, and less knaverys and villanys, than in any part of the world where my lot has been."

CHAP.  
XVIII.

1710.

Of the systems of philosophy of the Old World, the colonists, including their philosophy in their religion, as the people up to that time had always done, were neither skeptics nor sensualists, but Christians. The school that bows to the senses as the sole interpreter of truth, had little share in colonizing our America. The colonists from Maine to Carolina, the adventurous companions of Smith, the Puritan felons that freighted the fleet of Winthrop, the Quaker outlaws that fled from jails with a Newgate prisoner as their sovereign,—all had faith in God and in the soul. The system which had been revealed in Judea,—the system which combines and perfects the symbolic wisdom of the Orient and the reflective genius of Greece,—the system, conforming to reason, yet kindling enthusiasm; always hastening reform, yet always conservative; proclaiming absolute equality among men, yet not suddenly abolishing the unequal institutions of society; guarantying absolute freedom, yet invoking the inexorable restrictions of duty; in the highest degree theoretical, and yet in

CHAP.  
XVIII.

the highest degree practical ; awakening the inner man to a consciousness of his destiny, and yet adapted with exact harmony to the outward world ; at once divine and humane,—this system was professed in every part of our widely-extended country, and cradled our freedoms.

Our fathers were not only Christians ; they were, even in Maryland by a vast majority, elsewhere almost unanimously, Protestants. Now the Protestant reformation, considered in its largest influence on politics, was the common people awakening to freedom of mind.

During the decline of the Roman empire, the oppressed invoked the power of Christianity to resist the tyranny of brute force ; and the merciful priest assumed the office of protector. The tribunes of Rome, appointed by the people, had been declared inviolable by the popular vote ; the new tribunes of humanity, deriving their office from religion, and ordained by religion to an inviolable sanctity, defended the poor man's house against lust by the sacrament of marriage ; restrained arbitrary passion by a menace of the misery due to sin unrepented and unatoned ; and taught respect for naked humanity by sprinkling every new-born child with the water of life, confirming every youth, bearing the oil of consolation to every death-bed, and sharing freely with every human being the consecrated emblem of God present with man.

But the protection from priests became a tyranny. Expressing all moral truth by the mysteries of symbols, and reserving to itself the administration of the seven sacraments, the priesthood claimed a monopoly of thought, and exercised an absolute spiritual dominion. Human bondage was deeply riveted ; for tyranny

had fastened on the affections, the understanding, and reason. The priesthood, ordaining its own successors, ruled human destiny at birth, on entering active life, at marriage, in the hour when frailty breathed its confession, in the hour when faith aspired to communion with God, and at death. CHAP.  
XVIII.

The fortunes of the human race are embarked in a lifeboat, and cannot be wrecked. Mind refuses to rest; and active freedom is a necessary condition of intelligent existence. The instinctive love of truth could warm even the scholastic theologian; but the light which it kindled for him was oppressed by verbal erudition, and its flickering beams, scarce lighting the cell of the solitary, could not fill the colonnade of the cloister, far less reach the busy world.

Sensualism also was free to mock superstition. Scoffing infidelity put on the cardinal's hat, and made even the Vatican ring with ribaldry. But the indifference of dissoluteness has no creative power; it does but substitute the despotism of the senses for a spiritual despotism; it never brought enfranchisements to the multitude.

The feudal aristocracy resisted spiritual authority by the sword; but it was only to claim greater license for their own violence. Temporal sovereigns, jealous of a power which threatened to depose the unjust prince, were ready to set prelacy against prelacy, the national church against the Catholic church, but it was only to assert the absolute liberty of despotism.

By slow degrees the students of the humanities, as they were called, polished scholars, learned lessons of freedom from Grecian and Roman example; but they hid their patriotism in a dead language, and forfeited the claim to higher influence and enduring fame by

**CHAP. XVIII.** suppressing truth, and yielding independence to the interests of priests and princes.

Human enfranchisement could not advance securely but through the people; for whom philosophy was included in religion, and religion veiled in symbols. There had ever been within the Catholic church men who preferred truth to forms, justice to despotic force. "Dominion," said Wickliffe, "belongs to grace;" meaning, as I believe, that the feudal government, which rested on the sword, should yield to a government resting on moral principles. And he knew the right method to hasten the coming revolution. "Truth," he asserted with wisest benevolence, "truth shines more brightly the more widely it is diffused;" and, catching the plebeian language that lived on the lips of the multitude, he gave England the Bible in the vulgar tongue. A timely death could alone place him beyond persecution; his bones were disinterred and burnt, and his ashes thrown on the waters of the Avon. But his fame brightens as time advances; when America traces the lineage of her intellectual freedom, she acknowledges the benefactions of Wickliffe.

In the next century, a kindred spirit emerged in Bohemia, and tyranny, quickened by the nearer approach of danger, summoned John Huss to its tribunal, set on his head a paper cap, begrimmed with hobgoblins, permitted the bishops to strip him and curse him, and consigned one of the gentlest and purest of our race to the flames. "Holy simplicity!" exclaimed he, as a peasant piled fagots on the fire; still preserving faith in humanity, (the Quakers afterwards treasured up the example,) though its noblest instincts could be so perverted; and, perceiving the only mode through which reform could prevail, he gave as a last counsel to his

multitude of followers—"Put not your trust in princes." Of the descendants of his Bohemian disciples, a few certainly came to us by way of Holland; his example was for all.

Years are as days in the providence of God and in the progress of the race. After long waiting, an Augustine monk at Wittenberg, who had seen the lewd corruptions of the Roman court, and who loathed the deceptions of a coarse superstition, brooded in his cell over the sins of his age, and the method of rescuing conscience from the dominion of forms, till he discovered a cure for its vices in the simple idea of justification by faith alone. With this principle, easily intelligible to the universal mind, and spreading, like an epidemic, widely and rapidly,—a principle strong enough to dislodge every superstition, to overturn every tyranny, to enfranchise, convert, and save the world,—he broke the wand of papal supremacy, scattered the lazars of the monasteries, and drove the penance of fasts, and the terrors of purgatory, masses for the dead, and indulgences for the living, into the paradise of fools. That his principle contained a democratic revolution, Luther saw clearly; he acknowledged that "the rulers and the lawyers needed a reformer;" but he "could not hope that they would soon get a wise one," and in a stormy age, leaving to futurity its office, accepted shelter from feudal sovereigns. "It is a heathenish doctrine"—such was his compromise with princes—"that a wicked ruler may be deposed."—"Do not pipe to the populace, for it any how delights in running mad."—"God lets rogues rule for the people's sin."—"A crazy populace is a desperate, cursed thing; a tyrant is the right clog to tie on that dog's neck."—And yet, adds Luther, "I have no word of comfort for the usurers



**CHAP.** and scoundrels among the aristocracy, whose vices  
**XVIII.** make the common people esteem the whole aristocracy  
 to be out and out worthless." And he praised the printing-press, as the noblest gift of human genius. He forbade priests and bishops to make laws how men shall believe ; for, said he, " man's authority stretches neither to heaven nor to the soul." Nor did he leave Truth to droop in a cloister or wither in a palace, but carried her forth in her freedom to the multitude ; and when tyrants ordered the German peasantry to deliver up their Saxon New Testament, " No," cried Luther, " not a single leaf." He pointed out the path in which civilization should travel, though he could not go on to the end of the journey. In him, freedom of mind was like the morning sun, as it still struggles with the sickly dews and vanishing spectres of darkness.

In pursuing the history of our country, we shall hereafter meet in the largest Lutheran state, at one time an active ally, at another a neutral friend. The direct influence of Lutheranism on America was inconsiderable. New Sweden had the faith and the politics of the German reformer ; no democratic ideas distracted its single-minded loyalty.

The Anglican church in Virginia may, in one sense, be traced through Cranmer to Luther. But as the New World sheltered neither bishops nor princes, in respect to political opinion, the English church was there but an enfranchisement from Popery, favoring humanity and freedom. The inhabitants of Virginia were conformists after the pattern of Bacon<sup>1</sup> and of

<sup>1</sup> Lord Bacon was a Church-of-England man ; his tracts on the church appear to me to be in accord with the natural feeling of Virginia. Its people did not hate the Puritans, though the English governor did. Every one has his faults, and to the Virginians the Puritans seemed too peevish about prayer. Jefferson, in his benevo-

Shakspeare, rather than of Whitgift and Laud. Of themselves they asked no questions about the surplice, and never wore the badge of non-resisting obedience. CHAP.  
XVIII.

The meaner and more ignoble the party, the more general and comprehensive are its principles; for none but principles of universal freedom can reach the meanest condition. The serf defends the widest philanthropy; for that alone can break his bondage. The plebeian sect of Anabaptists, "the scum of the reformation," with greater consistency than Luther, applied the doctrine of the reformation to the social relations of life, and threatened an end to kingcraft, spiritual dominion, tithes, and vassalage. The party was trodden under foot, with foul reproaches and most arrogant scorn; and its history is written in the blood of myriads of the German peasantry; but its principles, safe in their immortality, escaped with Roger Williams to Providence; and his colony is the witness that, naturally, the paths of the Baptists were paths of freedom, pleasantness, and peace.

Luther finished his mission in the heart of Germany, under the safeguard of princes. In Geneva, a republic on the confines of France, Italy, and Germany, Calvin, appealing to the people for support, continued the career of enfranchisement by planting the institutions which nursed the minds of Rousseau, Necker, and De Stael.

The political character of Calvinism, which, with one consent and with instinctive judgment, the mon-

lence, palliating New England cruelties, does not ascribe the clemency of Virginia "to the moderation of the church or spirit of the legislature." A careful consideration of the laws and other evidence, has left me no option but to form a different opinion. I know of no act of cruel persecution that origin-

ated among men who were settlers in Virginia. When left to themselves, from the days of John Smith, I think the Virginians were always tolerant. I have already quoted the important testimony of Whitaker, a man sincere and charitable, like Eliot and Brainard.

CHAP.  
XVIII.

archs of that day feared as republicanism, and which Charles II. declared a religion unfit for a gentleman, is expressed in a single word—*predestination*. Did a proud aristocracy trace its lineage through generations of a high-born ancestry, the republican reformer, with a loftier pride, invaded the invisible world, and from the book of life brought down the record of the noblest enfranchisement, decreed from all eternity by the King of kings. His few converts defied the opposing world as a world of reprobates, whom God had despised and rejected. To them the senses were a totally-depraved foundation, on which neither truth nor goodness could rest. They went forth in confidence that men who were kindling with the same exalted instincts, would listen to their voice, and be effectually “called into the brunt of the battle” by their side. And, standing serenely amidst the crumbling fabrics of centuries of superstitions, they had faith in one another; and the martyrdoms of Cambray, the fires of Smithfield, the surrender of benefices by two thousand non-conforming Presbyterians, attest their perseverance.

Such was the system, which, for a century and a half, assumed the guardianship of liberty for the English world. “A wicked tyrant is better than a wicked war,” said Luther, preaching non-resistance; and Cranmer echoed back, “God’s people are called to render obedience to governors, altho’ they be wicked or wrong-doers, and in no case to resist.”—“Civil magistrates,” replied English Calvinism,—I quote the very words, in which, under an extravagant form, its champion asserted the paramount power of general principles, and the inalienable rights of freedom,—“civil magistrates must be servants unto the church; they must remember to submit their sceptres, to throw down

their crowns before the church, yea, as the prophet CHAP. XVIII. speaketh, to lick the dust of the feet of the church."

To advance intellectual freedom, Calvinism denied, absolutely denied, the sacrament of ordination; thus breaking up the great monopoly of priestcraft, and scattering the ranks of superstition. "Kindle the fire before my face," said Jerome meekly, as he resigned himself to his fate; to quench the fires of persecution forever, Calvinism resisted with fire and blood, and, shouldering the musket, proved, as a foot-soldier, that, on the field of battle, the invention of gunpowder had levelled the plebeian and the knight. To restrain absolute monarchy in France, in Scotland, in England, it allied itself with the party of the past, the decaying feudal aristocracy, which it was sure to outlive; to protect itself against feudal aristocracy, it infused itself into the mercantile class, and the inferior gentry; to secure a life in the public mind, in Geneva, in Scotland, wherever it gained dominion, it invoked intelligence for the people, and in every parish planted the common school.

In an age of commerce, to stamp its influence on the New World, it went on board the fleet of Winthrop, and was wafted to the Bay of Massachusetts. Is it denied that events follow principles, that mind rules the world? The institutions of Massachusetts were the exact counterpart of its religious system. Calvinism claimed heaven for the elect: Massachusetts gave franchises to the members of the visible church. Calvinism rejected the herd of reprobates: Massachusetts inexorably disfranchised Churchmen, royalists, and all world's people. Calvinism overthrew priestcraft: in Massachusetts, none but the magistrate could marry; the brethren could ordain. Calvinism saw in

**CHAP.**  
**XVIII.**  
goodness infinite joy, in evil infinite woe, and, recognizing no other abiding distinctions, opposed secretly, but surely, hereditary monarchy, aristocracy, and bondage: Massachusetts owned no king but the King of heaven; no aristocracy, but of the redeemed; no bondage, but the hopeless, infinite and eternal bondage of sin. Calvinism invoked intelligence against Satan, the great enemy of the human race; and the farmers and seamen of Massachusetts nourished its college with corn and strings of wampum, and in every village built the free school. Calvinism, in its zeal against Rome, revered the Bible even to idolatry; and in Massachusetts, the songs of Deborah and David were sung without change; hostile Algonquins, like the Canaanites, were exterminated or enslaved; and a peevish woman was hanged, because it was written, "the witch shall die."

"Do not stand still with Luther and Calvin," said the father of the Pilgrims, confident in human advancement. From Luther to Calvin, there was progress; from Geneva to New England, there was more. Calvinism,—I speak of its political character, in an age when politics were controlled by religious sects; I pass no judgment on opinions which relate to an unseen world,—Calvinism, such as it existed, in opposition to prelacy and feudalism, could not continue in a world where there was no prelacy to combat, no aristocracy to overthrow. It therefore received developments which were imprinted on institutions. It migrated to the Connecticut; and there, forgetting its foes, it put off its armor of religious pride. "You go to receive your reward," was said to Hooker on his death-bed. "I go to receive mercy," was his reply. For predestination Connecticut substituted benevolence. It hanged no

witches, it persecuted no heretics. Its early legislation is the breath of reason and charity ; and Jonathan Edwards did but sum up the political history of his native commonwealth for a century, when, anticipating, and in his consistency excelling, Godwin and Bentham, he gave Calvinism its political euthanasia, by declaring virtue to consist in universal love.

CHAP.  
XVIII.

In Boston, with Henry Vane and Anne Hutchinson, "Calvinism ran to seed ;" and the seed was "incorruptible." Election implies faith, and faith freedom. Claiming the Spirit of God as the companion of man, the Antinomians asserted absolute freedom of mind. For predestination they substituted consciousness. "If the ordinances be all taken away, Christ cannot be ;" the forms of truth may perish ; truth itself is immortal. "God will be ordinances to us." The exiled doctrine, which established conscience as the highest court of appeal, fled to the island gift of Miantonómoh ; and the records of Rhode Island, like the beautiful career of Henry Vane, are the commentary on the true import of the creed.

Wheat-  
wright.

Faith in predestination alone divided the Antinomians from the Quakers. Both revered and obeyed the voice of conscience in its freedom. The near resemblance was perceived so soon as the fame of George Fox reached America ; and the principal followers of Anne Hutchinson, Coddington, Mary Dyer, Henry Bull, and a majority of the people, avowed themselves to be Quakers.

Thus had the principle of freedom of mind, first asserted for the common people, under a religious form, by Wickliffe, been pursued by a series of plebeian sects, till it at last reached a perfect development, coinciding with the highest attainment of European philosophy.

CHAP.  
XVIII.

By giving a welcome to every sect, America was safe against narrow bigotry. At the same time, the moral unity of the forming nation was not impaired. Of the various parties into which the reformation divided the people, each, from the proudest to the most puny sect, rallied round a truth. But as truth never contradicts itself, the collision of sects could but eliminate error; and the American mind, in the largest sense eclectic, struggled for universality, while it asserted freedom. How had the world been governed by despotism and bigotry; by superstition and the sword; by the ambition of conquest and the pride of privilege! And now the happy age gave birth to a people which was to own no authority as the highest, but the free conviction of the public mind.

Thus had Europe given to America her sons and her culture. She was the mother of our men, and of the ideas which guided them to greatness. The relations of our country to humanity were already wider. The three races, the Caucasian, the Ethiopian and the American, were in presence of one another on our soil. Would the red man disappear entirely from the forests, which, for thousands of years, had sheltered him safely? Would the black man, in the end, be benefited by the crimes of mercantile avarice? At the close of the middle age, the Caucasian race was in nearly exclusive possession of the elements of civilization, while the Ethiopian remained in insulated barbarism. No commerce connected it with Europe; no intercourse existed by travel, by letters, or by war; it was too feeble to attempt an invasion of a Christian prince or an Arab dynasty. The slave-trade united the races by an indissoluble bond; the first ship that brought Africans to America, was a sure pledge, that,

in due time, ships from the New World would carry the equal blessings of Christianity to the burning plains of Nigritia, that descendants of Africans would toil for the benefits of European civilization.

CHAP.  
XVII.

That America should benefit the African, was always the excuse for the slave-trade. Would America benefit Europe? The probable influence of the New World on the Old became a prize question at Paris; but not one of the writers divined the true answer. They looked for it in commerce, in mines, in natural productions; and they should have looked for revolutions, as a consequence of moral power. The Greek colonists planted free and prosperous cities; and in a following century, each metropolis, envying the happiness of its daughters, imitated its institutions, and rejected kings. Rome, a nation of soldiers, planted colonies by the sword; and retributive justice merged its liberties in absolute despotism. The American colonists founded their institutions on popular freedom, and "set an example to the nations." Already the plebeian outcasts, the Anglo-Saxon emigrants, were the hope of the world. We are like the Parthians, said Norton in Boston; our arrows wound the more for our flight. "Jotham upon Mount Gerizim is bold to utter his apologue."

We have finished the colonization of our country; the history of its wardship follows. The relations of the rising colonies, the representatives of democratic freedom, are chiefly with France and England;—with the monarchy of France, which was the representative of absolute despotism, having subjected the three estates of the realm, the clergy by a treaty with the pope, feudalism by standing armies, the communal institutions by executive patronage and a vigorous police; with the



CHAP. XVIII. parliament of England, which was the representative of aristocratic liberties, and had ratified royalty, primogeniture, corporate charters, the peerage, tithes, prelates, prescriptive franchises, and every established immunity and privilege. The three nations and the three systems were, by the revolution of 1688, brought into direct contrast with one another. At the same time, the English world was lifted out of theological forms, and entered upon the career of commerce, which had been prepared by the navigation acts and by the mutual treaties for colonial monopoly with France and Spain. The period through which we have passed shows why we are a free people; the coming period will show why we are a united people. We shall meet no scenes of more adventure than the early scenes in Virginia, none of more sublimity than the Pilgrims at Plymouth. But we are about to enter on a wider theatre; and, as we trace the progress of commercial ambition through events which shook the globe from the wilds beyond the Alleghanies to the ancient abodes of civilization in Hindostan, we shall still see that the selfishness of evil defeats itself, and God rules in the affairs of men.

END OF VOL. II.

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